

**OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA**

TENTH DAY'S PROCEEDINGS

**Thirty-First Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974**

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Tuesday, May 10, 2005

The Senate was called to order at 1:30 o'clock P.M., by Hon. Donald E. Hines, President of the Senate.

ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

Mr. President	Duplessis	Malone
Adley	Dupre	Marionneaux
Amedee	Ellington	McPherson
Bajoie	Fields	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Heitmeier	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Uilo
Total - 36		

ABSENT

Hollis
Total - 1

The President of the Senate announced there were 36 Senators present and a quorum.

Prayer

The prayer was offered by Pastor Scott Bledsoe, following which the Senate joined in pledging allegiance to the flag of the United States of America.

Reading of the Journal

On motion of Senator Bajoie, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Morning Hour

**Introduction of Resolutions,
Senate and Concurrent**

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Resolutions, Senate and Concurrent, a first and second time and acting upon them as follows:

SENATE RESOLUTION NO. 70—
BY SENATOR HINES

A RESOLUTION

To commend Jeff Keys, past president of the Bunkie AARP Chapter, for being recognized by the AARP's national office for his outstanding community service.

On motion of Senator Hines, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 71—
BY SENATOR CHAISSON

A RESOLUTION

To recognize and commend Felix Simoneaux, Jr. upon the occasion of his one hundredth birthday.

On motion of Senator Chaisson, the resolution was read by title and adopted.

SENATE CONCURRENT RESOLUTION NO. 49—
BY SENATOR DUPRE

A CONCURRENT RESOLUTION

To approve the Fiscal Year 2005-2006 Coastal Wetlands Conservation and Restoration Plan, as adopted by the Wetlands Conservation and Restoration Authority ("authority").

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Natural Resources.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

**ASKING CONCURRENCE IN
HOUSE BILLS AND JOINT RESOLUTIONS**

May 10, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

HOUSE BILL NO. 106—
BY REPRESENTATIVES JANE SMITH AND LAFLEUR
AN ACT

To amend and reenact Code of Criminal Procedure Articles 161(A)(introductory paragraph) and 163 and to enact Code of Criminal Procedure Article 163.1, relative to search warrants; to authorize the issuance of a search warrant to search a person for deoxyribonucleic acid (DNA) or other bodily samples; to provide for procedures for the execution of such warrants; and to provide for related matters.

HOUSE BILL NO. 289—
BY REPRESENTATIVE HOPKINS
AN ACT

To enact R.S. 27:326 and to repeal R.S. 27:307(E), relative to the Video Draw Poker Devices Control Law; to authorize certain advertising by certain video draw poker licensees; to authorize the promotion of the play of video draw poker devices; to repeal advertising restrictions on the outside of certain video draw poker establishments; to provide for the tracking and monitoring of the use or play by patrons for the purposes of offering certain complimentary items or promotional opportunities; and to provide for related matters.

HOUSE BILL NO. 344—
BY REPRESENTATIVE MCVEA
AN ACT

To authorize and provide for the exchange and transfer between the state, the parish, and certain other property owners of specified properties located in West Feliciana Parish; and to provide for related matters.

HOUSE BILL NO. 349—

BY REPRESENTATIVE BOWLER

AN ACT

To authorize and provide for the lease or transfer of certain state property in Jefferson Parish to the Jefferson Parish School Board; and to provide for related matters.

HOUSE BILL NO. 386—

BY REPRESENTATIVE SMILEY

AN ACT

To amend and reenact R.S. 25:1223(E) and 1224(A)(introductory paragraph) and (13), R.S. 36:610(E), 802(introductory paragraph), and 802.3, and R.S. 51:2379(A)(3) and (D), 2380(C), 2382(B), and 2383(B)(1) and (C), to enact R.S. 36:109(G)(2), 239(B)(6), 259(D), and 409(F)(3), and to repeal Part IV of Chapter 11 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:2251 through 2262, R.S. 25:1222(C) and 1223.1, R.S. 32:390.24, Part IV of Chapter 6 of Title 34 of the Louisiana Revised Statutes of 1950, comprised of R.S. 34:1101 through 1106, R.S. 36:4(P), 109(D) and (M), 209(M)(2) and (U), 259(S), 409(C)(9), (D)(1), (J), and (K), 478(C)(5) and (H)(6), 509(N), 629(P), 651(D)(7), 916, and 918, R.S. 37:1285.2, Part IX of Chapter 6 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:1486.1, Chapter 22 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:2491 through 2494, Chapter 29 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:2741 through 2745, R.S. 46:231(2), 261(B), (C), (D), (E), and (G), Chapter 14-D of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:1443 and 1443.1, Chapter 38 of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:2511 through 2514, Subpart B of Part V of Chapter 1 of Title 48 of the Louisiana Revised Statutes of 1950, comprised of R.S. 48:81 through 84, Part VI-C of Chapter 1 of Title 48 of the Louisiana Revised Statutes of 1950, comprised of R.S. 48:108.1 and 108.2, Chapter 17 of Title 48 of the Louisiana Revised Statutes of 1950, comprised of R.S. 48:1681 through 1687, R.S. 51:936(B), Subpart D of Chapter 9 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:1291 and 1292, Chapter 12 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:1361 through 1368, R.S. 51:2378(D)(3), and Act No. 319 of the 1977 Regular Session, relative to boards, commissions, authorities, districts, and like entities; to abolish certain inactive boards, commissions, districts, authorities, and like entities; to remove references to certain abolished entities; to abolish the Louisiana Imports and Exports Trust Authority created pursuant to R.S. 9:2341; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana Education Facilities Authority; to remove references to, provisions for, and the powers, functions, and duties of the Atchafalaya Trace Advisory Board; to remove references to, provisions for, and the powers, functions, and duties of the Board of Morgan City, Berwick Port Pilot Commissioners and Examiners; to abolish the Louisiana Litter Reduction and Public Action Commission and provide that its powers, duties, functions, and responsibilities are transferred to the secretary of the Department of Environmental Quality; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana Motor Carrier Advisory Committee; to remove provisions for the Advisory Committee on Pain; to abolish the Rural Health Care Authority and provide that its powers, duties, functions, and responsibilities are transferred to the secretary of the Department of Health and Hospitals; to abolish the Louisiana Biomedical Research and Development Park Commission and provide that its powers, duties, functions, and responsibilities are transferred to the secretary of the Department of Economic Development; to remove provisions for the Southern Louisiana Drinking Water Study Commission; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana Healthy People 2010 Planning Council; to remove references to the Louisiana Welfare Reform Coordinating Committee; to remove references to and duties of the Fatherhood Council, including certain plans and reports relative to the Fatherhood Initiative; to remove references to, provisions for, and the powers, functions,

and duties of the Louisiana Child Care Challenge Committee; to remove references to, provisions for, and the powers, functions, and duties of the Council to Prevent Chemically Exposed Infants; to abolish the Interagency Recreation Board and provide that its powers, duties, functions, and responsibilities are transferred to the secretary of the Department of Public Safety and Corrections; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana Infrastructure Bank and its board of directors; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana High-Speed Rail Transportation Advisory Council; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana Western Corridor Commission; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana Hospitality Research Program; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana International Trade Development Board; to remove references to and provisions for the executive committee of the Louisiana Economic Development Council and to allocate certain of its duties to the council; to remove references to the Coordinating Council on Telemedicine and Distance Education, the Louisiana Historical Jazz Society, the Medicaid Drug Program Committee, the State Licensing Board for Locksmiths, the Stress Analysts Board, the Governor's Committee on Employment of Physically Handicapped, the Louisiana Marine Recreational Fishing Development Board, the Louisiana Alligator Market Development Authority, and the Council for Development of Spanish in Louisiana; to remove provisions for the Pointe Coupee-West Feliciana Bridge, Ferry, and Tunnel Authority; and to provide for related matters.

HOUSE BILL NO. 423—

BY REPRESENTATIVES BRUNEAU, LANCASTER, PITRE, JEFFERSON, LAFONTA, CAZAYOUX, AND FAUCHEUX

AN ACT

To amend and reenact R.S. 18:3(C), 110(B)(3), 115(F), 423(D), 462(B), 493, 533(D), 563(D) and (E), 566.2(B), 573(A)(3) and (D), 591, 601, 602(A), (B), (C), (E)(2)(a), and (F), 604(B)(1) and (2)(a), 621(A)(2), 1307(B)(2), (D), and (E), 1309(D)(1), 1311(D)(1), 1314, 1400.3(D)(1), and 1402(A), (B)(1), and (C) and to enact R.S. 18:502.1, 563(F), 1307(F), 1461(A)(23), and 1485(D), relative to the Election Code; to provide for the verification by registrars of voters of signatures on petitions; to provide relative to when a change in registration becomes effective after a voter changes his residence; to provide relative to the manner of qualifying for certain offices; to provide for students at an institution of higher learning outside of their parish of residence to register to vote absentee by mail and to vote as such without first appearing in the office of the registrar; to provide for a person who appears in the office of the registrar to establish his identity prior to the absentee in person voting period to vote absentee by mail; to provide relative to the personnel of certain parish boards of election supervisors; to specify the deadline for objections to candidacy; to provide relative to payment for use of private property as a polling place; to require the appropriate clerk of court to provide notice at the appropriate polling places of a candidate who has withdrawn but whose name appears on the ballot; to prohibit the use of certain electronic communication devices while voting and to exempt certain electronic communication devices used for assisted voting; to provide relative to the use of absentee commissioners or commissioners for the counting and tabulation of provisional ballots; to provide relative to the procedures for the opening and inspection of voting machines after the election; to provide relative to the deadlines for making appointments and issuing proclamations to fill vacancies in certain offices; to provide relative to selecting an election date for filling a vacancy in the office of constable or marshal; to provide relative to the deadline for submitting an application to vote by mail for certain hospitalized persons and the handling of such voters' absentee ballots; to provide relative to compensation of certain temporary employees in the registrars' offices; to provide relative to identification of voters who vote absentee in person; to provide relative to proper parties to objections to candidacy and election contests; to provide for an election offense relative

to the untimely submission of voter registration applications; to provide relative to campaign finance filings submitted to the supervisory committee; and to provide for related matters.

HOUSE BILL NO. 434—

BY REPRESENTATIVES CRANE, SALTER, ALARIO, DORSEY, HAMMETT, BRUCE, AND TOOMY AND SENATORS HINES, BAJOE, HEITMEIER, AND MOUNT

AN ACT

To enact Chapter 41 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3951, and R.S. 36:651(G)(2), relative to the creation of the High School Redesign Commission; to provide for the purpose of the commission; to provide for commission duties and responsibilities, membership, vacancies, compensation, and reporting requirements; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 528—

BY REPRESENTATIVES DOERGE, ALARIO, DORSEY, HAMMETT, SALTER, AND BRUCE AND SENATORS BAJOE AND HINES

AN ACT

To enact R.S. 40:2006(E)(2)(m) through (u), and Part II-D, Part II-E, and Part II-F all of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2120.1 through 2120.7, R.S. 40:2120.11 through 2120.16, and R.S. 40:2120.21 through 2120.26, respectively and to repeal R.S. 28:420 through 427, R.S. 40:2006(A)(2)(p) and (B)(2)(h), R.S. 46:1971 through 1980, and R.S. 46:2682 through 2683 and 2685, relative to personal care attendant services, respite care services, supervised independent living services, adult day care services and family support services; to transfer authority to license such services from the Department of Social Services to the Department of Health and Hospitals; to provide for licensing fees for such services; to provide for definitions; and to provide for related matters.

HOUSE BILL NO. 544—

BY REPRESENTATIVES SCHNEIDER, STRAIN, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAUDOUIN, BAYLOR, BEARD, BRUCE, BURNS, BURRELL, K. CARTER, CRAVINS, CROWE, CURTIS, DAMICO, DARTEZ, DOERGE, DOVE, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GLOVER, GREENE, E. GUILLORY, HAMMETT, HEBERT, HILL, HOPKINS, HUTTER, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LAFONTA, LANCASTER, MARCHAND, MCDONALD, MORRELL, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, RITCHIE, SALTER, SCALISE, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, ST. GERMAIN, THOMPSON, TOWNSEND, TRAHAN, TUCKER, WALKER, WALSWORTH, WHITE, WINSTON, WOOTON, AND WRIGHT

AN ACT

To enact R.S. 40:971.2, relative to the Uniform Controlled Dangerous Substances Law; to provide for the crime of unlawfully prescribing, distributing, dispensing, or assisting in illegally obtaining controlled dangerous substances; to provide for penalties; and to provide for related matters.

HOUSE BILL NO. 592—

BY REPRESENTATIVE WALSWORTH

AN ACT

To amend and reenact R.S. 49:314(B)(3), relative to appropriations from the Transportation Trust Fund; to change the time period for the Attorney General to certify the constitutionality of appropriations from such fund prior to the expenditures of such revenues; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 697—

BY REPRESENTATIVES M. GUILLORY, SALTER, ALARIO, DORSEY, HAMMETT, AND CURTIS AND SENATORS HINES, BAJOE, MOUNT, AND HEITMEIER

AN ACT

ToTo enact Chapter 11-A of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of Part I, R.S. 37:1021 through 1025 and Part II, R.S. 37:1031 through 1034, relative to direct service workers and medication attendants; to provide for the authority, training, registration, and termination of direct service workers; and to provide for related matters.

HOUSE BILL NO. 775—

BY REPRESENTATIVES BARROW, ALARIO, ALEXANDER, BADON, DANIEL, DORSEY, DOWNS, FANNIN, GREENE, HAMMETT, HONEY, KENNEY, M. POWELL, T. POWELL, RITCHIE, SALTER, TRAHAN, WRIGHT, BRUCE, AND THOMPSON AND SENATORS BAJOE AND HINES

AN ACT

To amend and reenact R.S. 29:36.1(A) and (B) and to enact R.S. 29:36.1(E), to provide exemptions from tuition charges imposed by Louisiana public colleges and universities for certain students serving in the Louisiana National Guard, including but not limited to students serving pursuant to re-enlistment agreements; to provide relative to conditions, limitations, and requirements for initial and continuing eligibility for such tuition exemptions; to provide for effectiveness, to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 843(Substitute for House Bill No. 389 by Representative Damico)—

BY REPRESENTATIVE DAMICO

AN ACT

To enact R.S. 33:4169.3, relative to the parish of Jefferson; to provide that the governing authority of the parish may contract with private entities in a joint venture for the treatment and disposal of sewage and liquid wastes; to provide for leases of parish property; to provide with respect to the terms, conditions, and length of contracts; to provide for antitrust liability; and to provide for related matters.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

**House Bills and Joint Resolutions
on First Reading**

The following House Bills and Joint Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

HOUSE BILL NO. 106—

BY REPRESENTATIVES JANE SMITH AND LAFLEUR

AN ACT

To amend and reenact Code of Criminal Procedure Articles 161(A)(introductory paragraph) and 163 and to enact Code of Criminal Procedure Article 163.1, relative to search warrants; to authorize the issuance of a search warrant to search a person for deoxyribonucleic acid (DNA) or other bodily samples; to provide for procedures for the execution of such warrants; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 289—

BY REPRESENTATIVE HOPKINS

AN ACT

To enact R.S. 27:326 and to repeal R.S. 27:307(E), relative to the Video Draw Poker Devices Control Law; to authorize certain advertising by certain video draw poker licensees; to authorize the promotion of the play of video draw poker devices; to repeal advertising restrictions on the outside of certain video draw poker establishments; to provide for the tracking and monitoring of the use or play by patrons for the purposes of offering certain complimentary items or promotional opportunities; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 344—

BY REPRESENTATIVE MCVEA

AN ACT

To authorize and provide for the exchange and transfer between the state, the parish, and certain other property owners of specified properties located in West Feliciana Parish; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 349—

BY REPRESENTATIVE BOWLER

AN ACT

To authorize and provide for the lease or transfer of certain state property in Jefferson Parish to the Jefferson Parish School Board; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 386—

BY REPRESENTATIVE SMILEY

AN ACT

To amend and reenact R.S. 25:1223(E) and 1224(A)(introductory paragraph) and (13), R.S. 36:610(E), 802(introductory paragraph), and 802.3, and R.S. 51:2379(A)(3) and (D), 2380(C), 2382(B), and 2383(B)(1) and (C), to enact R.S. 36:109(G)(2), 239(B)(6), 259(D), and 409(F)(3), and to repeal Part IV of Chapter 11 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:2251 through 2262, R.S. 25:1222(C) and 1223.1, R.S. 32:390.24, Part IV of Chapter 6 of Title 34 of the Louisiana Revised Statutes of 1950, comprised of R.S. 34:1101 through 1106, R.S. 36:4(P), 109(D) and (M), 209(M)(2) and (U), 259(S), 409(C)(9), (D)(1), (J), and (K), 478(C)(5) and (H)(6), 509(N), 629(P), 651(D)(7), 916, and 918, R.S. 37:1285.2, Part IX of Chapter 6 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:1486.1, Chapter 22 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:2491 through 2494, Chapter 29 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:2741 through 2745, R.S. 46:231(2), 261(B), (C), (D), (E), and (G), Chapter 14-D of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:1443 and 1443.1, Chapter 38 of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:2511 through 2514, Subpart B of Part V of Chapter 1 of Title 48 of the Louisiana Revised Statutes of 1950, comprised of R.S. 48:81 through 84, Part VI-C of Chapter 1 of Title 48 of the Louisiana Revised Statutes of 1950, comprised of R.S. 48:108.1 and 108.2, Chapter 17 of Title 48 of the Louisiana Revised Statutes of 1950, comprised of R.S. 48:1681 through 1687, R.S. 51:936(B), Subpart D of Chapter 9 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:1291 and 1292, Chapter 12 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:1361 through 1368, R.S. 51:2378(D)(3), and Act No. 319 of the 1977 Regular Session, relative to boards, commissions, authorities, districts, and like entities; to abolish certain inactive boards, commissions, districts, authorities, and like entities; to remove references to certain abolished entities; to abolish the Louisiana Imports and Exports Trust Authority created pursuant to R.S. 9:2341; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana Education Facilities Authority; to remove references to, provisions for, and the powers, functions, and duties of the Atchafalaya Trace Advisory Board; to remove references to, provisions for, and the powers, functions, and duties of the Board of Morgan City, Berwick Port Pilot Commissioners and Examiners; to abolish the Louisiana Litter Reduction and Public Action Commission and provide that its powers, duties, functions, and responsibilities are transferred to the secretary of the Department of Environmental Quality; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana Motor Carrier Advisory Committee; to remove provisions for the Advisory Committee on Pain; to abolish the Rural Health Care Authority and provide that its powers, duties, functions, and responsibilities are transferred to the secretary of the Department of Health and Hospitals; to abolish the Louisiana Biomedical Research and Development Park Commission and provide that its powers, duties, functions, and responsibilities are transferred to the secretary of the Department of Economic Development; to remove provisions for the Southern Louisiana Drinking Water Study Commission; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana Healthy People 2010 Planning Council; to remove references to the

Louisiana Welfare Reform Coordinating Committee; to remove references to and duties of the Fatherhood Council, including certain plans and reports relative to the Fatherhood Initiative; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana Child Care Challenge Committee; to remove references to, provisions for, and the powers, functions, and duties of the Council to Prevent Chemically Exposed Infants; to abolish the Interagency Recreation Board and provide that its powers, duties, functions, and responsibilities are transferred to the secretary of the Department of Public Safety and Corrections; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana Infrastructure Bank and its board of directors; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana High-Speed Rail Transportation Advisory Council; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana Western Corridor Commission; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana Hospitality Research Program; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana International Trade Development Board; to remove references to and provisions for the executive committee of the Louisiana Economic Development Council and to allocate certain of its duties to the council; to remove references to the Coordinating Council on Telemedicine and Distance Education, the Louisiana Historical Jazz Society, the Medicaid Drug Program Committee, the State Licensing Board for Locksmiths, the Stress Analysts Board, the Governor's Committee on Employment of Physically Handicapped, the Louisiana Marine Recreational Fishing Development Board, the Louisiana Alligator Market Development Authority, and the Council for Development of Spanish in Louisiana; to remove provisions for the Pointe Coupee-West Feliciana Bridge, Ferry, and Tunnel Authority; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 423—

BY REPRESENTATIVES BRUNEAU, LANCASTER, PITRE, JEFFERSON, LAFONTA, CAZAYOUX, AND FAUCHEUX

AN ACT

To amend and reenact R.S. 18:3(C), 110(B)(3), 115(F), 423(D), 462(B), 493, 533(D), 563(D) and (E), 566.2(B), 573(A)(3) and (D), 591, 601, 602(A), (B), (C), (E)(2)(a), and (F), 604(B)(1) and (2)(a), 621(A)(2), 1307(B)(2), (D), and (E), 1309(D)(1), 1311(D)(1), 1314, 1400.3(D)(1), and 1402(A), (B)(1), and (C) and to enact R.S. 18:502.1, 563(F), 1307(F), 1461(A)(23), and 1485(D), relative to the Election Code; to provide for the verification by registrars of voters of signatures on petitions; to provide relative to when a change in registration becomes effective after a voter changes his residence; to provide relative to the manner of qualifying for certain offices; to provide for students at an institution of higher learning outside of their parish of residence to register to vote absentee by mail and to vote as such without first appearing in the office of the registrar; to provide for a person who appears in the office of the registrar to establish his identity prior to the absentee in person voting period to vote absentee by mail; to provide relative to the personnel of certain parish boards of election supervisors; to specify the deadline for objections to candidacy; to provide relative to payment for use of private property as a polling place; to require the appropriate clerk of court to provide notice at the appropriate polling places of a candidate who has withdrawn but whose name appears on the ballot; to prohibit the use of certain electronic communication devices while voting and to exempt certain electronic communication devices used for assisted voting; to provide relative to the use of absentee commissioners or commissioners for the counting and tabulation of provisional ballots; to provide relative to the procedures for the opening and inspection of voting machines after the election; to provide relative to the deadlines for making appointments and issuing proclamations to fill vacancies in certain offices; to provide relative to selecting an election date for filling a vacancy in the office of constable or marshal; to provide relative to the deadline for submitting an application to vote by mail for

certain hospitalized persons and the handling of such voters' absentee ballots; to provide relative to compensation of certain temporary employees in the registrars' offices; to provide relative to identification of voters who vote absentee in person; to provide relative to proper parties to objections to candidacy and election contests; to provide for an election offense relative to the untimely submission of voter registration applications; to provide relative to campaign finance filings submitted to the supervisory committee; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 434—

BY REPRESENTATIVES CRANE, SALTER, ALARIO, DORSEY, HAMMETT, BRUCE, AND TOOMY AND SENATORS HINES, BAJOE, HEITMEIER, AND MOUNT

AN ACT

To enact Chapter 41 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3951, and R.S. 36:651(G)(2), relative to the creation of the High School Redesign Commission; to provide for the purpose of the commission; to provide for commission duties and responsibilities, membership, vacancies, compensation, and reporting requirements; to provide for an effective date; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 528—

BY REPRESENTATIVES DOERGE, ALARIO, DORSEY, HAMMETT, SALTER, AND BRUCE AND SENATORS BAJOE AND HINES

AN ACT

To enact R.S. 40:2006(E)(2)(m) through (u), and Part II-D, Part II-E, and Part II-F all of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2120.1 through 2120.7, R.S. 40:2120.11 through 2120.16, and R.S. 40:2120.21 through 2120.26, respectively and to repeal R.S. 28:420 through 427, R.S. 40:2006(A)(2)(p) and (B)(2)(h), R.S. 46:1971 through 1980, and R.S. 46:2682 through 2683 and 2685, relative to personal care attendant services, respite care services, supervised independent living services, adult day care services and family support services; to transfer authority to license such services from the Department of Social Services to the Department of Health and Hospitals; to provide for licensing fees for such services; to provide for definitions; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 544—

BY REPRESENTATIVES SCHNEIDER, STRAIN, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAUDOUIN, BAYLOR, BEARD, BRUCE, BURNS, BURRELL, K. CARTER, CRAVINS, CROWE, CURTIS, DAMICO, DARTEZ, DOERGE, DOVE, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GLOVER, GREENE, E. GUILLORY, HAMMETT, HEBERT, HILL, HOPKINS, HUTTER, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LAFONTA, LANCASTER, MARCHAND, McDONALD, MORRELL, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, RITCHIE, SALTER, SCALISE, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, ST. GERMAIN, THOMPSON, TOWNSEND, TRAHAN, TUCKER, WALKER, WALSWORTH, WHITE, WINSTON, WOOTON, AND WRIGHT

AN ACT

To enact R.S. 40:971.2, relative to the Uniform Controlled Dangerous Substances Law; to provide for the crime of unlawfully prescribing, distributing, dispensing, or assisting in illegally obtaining controlled dangerous substances; to provide for penalties; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 592—

BY REPRESENTATIVE WALSWORTH

AN ACT

To amend and reenact R.S. 49:314(B)(3), relative to appropriations from the Transportation Trust Fund; to change the time period for the Attorney General to certify the constitutionality of appropriations from such fund prior to the expenditures of such revenues; to provide for an effective date; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 697—

BY REPRESENTATIVES M. GUILLORY, SALTER, ALARIO, DORSEY, HAMMETT, AND CURTIS AND SENATORS HINES, BAJOE, MOUNT, AND HEITMEIER

AN ACT

ToTo enact Chapter 11-A of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of Part I, R.S. 37:1021 through 1025 and Part II, R.S. 37:1031 through 1034, relative to direct service workers and medication attendants; to provide for the authority, training, registration, and termination of direct service workers; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 775—

BY REPRESENTATIVES BARROW, ALARIO, ALEXANDER, BADON, DANIEL, DORSEY, DOWNS, FANNIN, GREENE, HAMMETT, HONEY, KENNEY, M. POWELL, T. POWELL, RITCHIE, SALTER, TRAHAN, WRIGHT, BRUCE, AND THOMPSON AND SENATORS BAJOE AND HINES

AN ACT

To amend and reenact R.S. 29:36.1(A) and (B) and to enact R.S. 29:36.1(E), to provide exemptions from tuition charges imposed by Louisiana public colleges and universities for certain students serving in the Louisiana National Guard, including but not limited to students serving pursuant to re-enlistment agreements; to provide relative to conditions, limitations, and requirements for initial and continuing eligibility for such tuition exemptions; to provide for effectiveness, to provide an effective date; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 843(Substitute for House Bill No. 389 by Representative Damico)—

BY REPRESENTATIVE DAMICO

AN ACT

To enact R.S. 33:4169.3, relative to the parish of Jefferson; to provide that the governing authority of the parish may contract with private entities in a joint venture for the treatment and disposal of sewage and liquid wastes; to provide for leases of parish property; to provide with respect to the terms, conditions, and length of contracts; to provide for antitrust liability; and to provide for related matters.

The bill was read by title; lies over under the rules.

**House Bills and Joint Resolutions
on Second Reading to be Referred**

The following House Bills and Joint Resolutions were read by title and referred to committees as follows:

HOUSE BILL NO. 5—

BY REPRESENTATIVE BAUDOUIN

AN ACT

To amend and reenact R.S. 32:295.3(D), relative to leaving children unattended and unsupervised in motor vehicles; to provide for increased penalties; and to provide for related matters.

On motion of Senator Bajeie, the bill was read by title and referred to the Committee on Judiciary C.

HOUSE BILL NO. 9—

BY REPRESENTATIVE DANIEL

AN ACT

To enact R.S. 14:223.9, relative to crimes against property; to create the crime of unlawful operation of an audiovisual recording device; to provide for penalties; to provide for definitions; to provide for immunity from civil actions under certain circumstances; to provide for exceptions; and to provide for related matters.

On motion of Senator Bajeie, the bill was read by title and referred to the Committee on Judiciary C.

HOUSE BILL NO. 13—BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 14:223.3(1) and (3), relative to penalties for unauthorized sound reproductions; to reduce the threshold number of phonorecords or counterfeit labels involved for imposition of penalties for violations of the crimes of sound reproductions without consent, recording performances without consent, rental or sale of improperly labeled articles, and counterfeiting or possessing counterfeit labels; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary C.

HOUSE BILL NO. 28 (Duplicate of Senate Bill No. 8 by Senator Theunissen)—BY REPRESENTATIVE MORRISH AND SENATOR THEUNISSEN AND
COAUTHORED BY REPRESENTATIVES JOHNS, GEYMAN, E.
GUILLORY, AND KLECKLEY

AN ACT

To amend and reenact R.S. 34:204.1(B) and (D)(12), relative to the Lake Charles Harbor and Terminal District; to provide relative to the qualifications and authority of the port director; and to provide for related matters.

SENATE FLOOR AMENDMENTS

Conforming Amendments proposed by Senator Theunissen to Reengrossed House Bill No. 28 by Representative Morrish

AMENDMENT NO. 1

On page 1, line 14, change "have" to "meet"

AMENDMENT NO. 2

On page 1, line 15, change "bachelor" to "bachelor's"

AMENDMENT NO. 3

On page 2, line 5, between "development" and "or" delete the comma
" "

AMENDMENT NO. 4

On page 2, line 15, between "However" and "with" delete "the port director shall enter into an agreement" and insert in lieu thereof "agreements"

AMENDMENT NO. 5

On page 2, line 16, change "extends" to "extend"

AMENDMENT NO. 6

On page 2, line 16, after "one year" delete the remainder of the line and insert in lieu thereof the following: "shall be subject to approval by the board."

Under the provisions of Joint Rule No. 5, the amended bill, which is a duplicate of Senate Bill No. 8, was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 29—BY REPRESENTATIVE LAFLEUR
AN ACT

To enact R.S. 40:962.1.2, 962.1.3, and 962.1.4, relative to the unlawful sales and distribution of ephedrine, pseudoephedrine and pseudoephedrine base, and phenylpropanolamine; to provide for the unlawful sales of certain quantities of products containing ephedrine, pseudoephedrine base, or phenylpropanolamine; to provide for the unlawful sale of nonliquid pseudoephedrine, ephedrine, or phenylpropanolamine; to provide for the unlawful distribution of pseudoephedrine, ephedrine, or phenylpropanolamine; to provide for definitions; to provide for penalties; to provide for exceptions; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary C.

HOUSE BILL NO. 33—BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 40:4(A)(2)(b)(i) and (ii), relative to the treatment of infectious biomedical waste; to require the certification and testing of all equipment used to treat infectious biomedical waste; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Health and Welfare.

HOUSE BILL NO. 55—BY REPRESENTATIVE KLECKLEY
AN ACT

To amend and reenact R.S. 40:969(C), relative to violations of possession of Schedule IV controlled dangerous substances; to provide that a violation requires a person to knowingly and intentionally possess the controlled substance; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary C.

HOUSE BILL NO. 67—BY REPRESENTATIVE WALKER
AN ACT

To amend and reenact R.S. 37:793(A)(1)(d) and (2)(a), (B)(1), (2), and (3), (C), (D)(1), (2) (introductory paragraph) and (c), (E), (F), (G)(1), and (H), to enact R.S. 37:793(B)(4) and (5), and to repeal R.S. 37:793(A)(1)(i), relative to enteral conscious sedation; to provide for changes in definitions; to provide for enteral conscious sedation to be performed on patients of all ages; to clarify the circumstances in which a permit is necessary; to require written reporting; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Health and Welfare.

HOUSE BILL NO. 72—BY REPRESENTATIVES BRUCE AND MONTGOMERY
AN ACT

To enact R.S. 37:776(D), relative to dentists; to require the board to promulgate rules to expunge first-time advertising offenses from a licensee's record; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Commerce, Consumer Protection, and International Affairs.

HOUSE BILL NO. 81—BY REPRESENTATIVE TUCKER
AN ACT

To enact R.S. 28:53.2(B)(5), relative to an order for custody; to provide for the contents of the order; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary A.

HOUSE BILL NO. 100—BY REPRESENTATIVE FANNIN
AN ACT

To authorize and provide for the transfer of certain state property in Jackson Parish from the Department of Transportation and Development to the town of Chatham; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Natural Resources.

HOUSE BILL NO. 118—BY REPRESENTATIVE WHITE
AN ACT

To amend and reenact R.S. 37:3298(B), relative to private security; to provide an exception to the private security law for peace officers; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Commerce, Consumer Protection, and International Affairs.

HOUSE BILL NO. 127—

BY REPRESENTATIVE FRITH

AN ACT

To enact R.S. 14:67.5, relative to theft; to create the crime of theft of crawfish; to define the offense; to provide for penalties; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary C.

HOUSE BILL NO. 209—

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 37:1432(A) and to enact R.S. 37:1455(A)(35), relative to the Louisiana Real Estate Commission; to provide for commission members; to add misleading advertising as a cause for censure, suspension, or revocation of license; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Commerce, Consumer Protection, and International Affairs.

HOUSE BILL NO. 243—

BY REPRESENTATIVE QUEZAIRE

AN ACT

To authorize and provide for the conveyance of certain state property in Allen Parish and East Baton Rouge Parish to the Department of Transportation and Development; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Transportation, Highways and Public Works.

HOUSE BILL NO. 256—

BY REPRESENTATIVE DOVE

AN ACT

To amend and reenact R.S. 38:301(C)(1)(b) and to enact R.S. 38:301(C)(2)(g) and (3), relative to the Terrebonne Levee and Conservation District; to provide relative to the appropriation of property by the district; to provide relative to notification of property owners; to provide relative to challenges to an appropriation or compensation paid for appropriated property; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Transportation, Highways and Public Works.

HOUSE BILL NO. 271—

BY REPRESENTATIVE BAYLOR

AN ACT

To amend and reenact R.S. 47:332.6(B), relative to the dedication of certain sales tax revenues in the city of Shreveport; to change the dedication and allowable uses of monies in the Shreveport Riverfront and Convention Center and Independence Stadium Fund; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Finance.

HOUSE BILL NO. 272—

BY REPRESENTATIVE BALDONE

AN ACT

To enact R.S. 14:62.5(C), relative to looting; to provide with respect to penalties for the crime of looting when committed during a state of emergency; and to provide for related matters.

SENATE FLOOR AMENDMENTS

Conforming Amendments proposed by Senator Dupre to Engrossed House Bill No. 272 by Representative Baldone

AMENDMENT NO. 1

On page 1, line 10, between "emergency" and "which" insert a comma ","

AMENDMENT NO. 2

On page 1, line 11, between "parish" and "when" insert a comma ","

AMENDMENT NO. 3

On page 1, line 13, between "dollars," and "imprisonment" insert "and"

AMENDMENT NO. 4

On page 1, line 14, between "years" and "without" insert "or both"

AMENDMENT NO. 5

On page 1, line 15, after "sentence" change the comma "," to a period "." and delete the remainder of the line.

Under the provisions of Joint Rule No. 5, the amended bill, which was designated duplicate of Senate Bill No. 203, was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 278—

BY REPRESENTATIVE ST. GERMAIN

AN ACT

To amend and reenact R.S. 9:2795.4(A)(3), (4)(a), and (6), relative to the limitation of liability for motorized off-road activities; to revise the definitions of "motorized off-road vehicles", "motorized off-road vehicle activity", and "motorized off-road vehicle facility"; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary A.

HOUSE BILL NO. 279—

BY REPRESENTATIVE BAYLOR

AN ACT

To repeal R.S. 32:143.2(C), relative to unauthorized use of private driveways, highways, and public rights-of-way; to repeal the termination date of provisions relative to blocking private driveways, highways, and public rights-of-way.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Transportation, Highways and Public Works.

HOUSE BILL NO. 297—

BY REPRESENTATIVES JOHNS, GEYMAN, E. GUILLORY, KLECKLEY, MORRISH, AND JOHN SMITH AND SENATORS MOUNT AND THEUNISSEN

AN ACT

To amend and reenact R.S. 47:302.14, relative to the dedication of certain sales tax revenues in Calcasieu Parish; to provide for the dedication of proceeds derived from state sales tax on hotel occupancy in Calcasieu Parish; to provide for the issuance of bonds secured by such proceeds; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Finance.

HOUSE BILL NO. 313—

BY REPRESENTATIVE HAMMETT

AN ACT

To enact Part XXXI of Chapter 13 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:3087.281 through 3087.297, relative to Lake St. John in Concordia Parish; to create the Lake St. John Recreation and Water Conservation District as a political subdivision of the state; to create and to provide for a board of commissioners to manage the district; to provide for powers and duties of the district and the board; to authorize the board to levy taxes and parcels fees, issue bonds, and incur debt; to authorize the board to promulgate rules and

regulations to accomplish the purposes of the district; to provide for penalties; to provide relative to the duties and powers of the Department of Transportation and Development and the Louisiana Wildlife and Fisheries Commission; to provide with respect to mineral leases; to provide for creation and construction of playgrounds and recreational facilities; to provide for the regulation of commercial establishments; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Transportation, Highways and Public Works.

HOUSE BILL NO. 331—

BY REPRESENTATIVES HILL AND FRITH
AN ACT

To amend and reenact R.S. 56:266(C), relative to the Louisiana Fur and Alligator Advisory Council; to provide relative to council membership; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Natural Resources.

HOUSE BILL NO. 332—

BY REPRESENTATIVES PINAC, BRUCE, CROWE, DOERGE, FRITH, GEYMANN, JACKSON, KLECKLEY, LAFONTA, T. POWELL, RITCHIE, GARY SMITH, STRAIN, TRAHAN, WADDELL, WALSWORTH, WHITE, AND WINSTON
AN ACT

To amend and reenact R.S. 51:1286(C)(1)(b) and (c), relative to tourism; to provide for restrictions on in-state advertising by the office of tourism; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Commerce, Consumer Protection, and International Affairs.

HOUSE BILL NO. 339—

BY REPRESENTATIVE PITRE
AN ACT

To authorize the Grand Isle Port Commission to use certain state property for seafood research; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Transportation, Highways and Public Works.

HOUSE BILL NO. 341—

BY REPRESENTATIVES WINSTON, BURNS, DURAND, GRAY, E. GUILLORY, KATZ, MCDONALD, AND WADDELL
AN ACT

To enact Chapter 9-A of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:1001 through 1002, relative to foster children; to provide vocational testing and counseling for children in foster care; to provide for the duties of the office of community services; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Health and Welfare.

HOUSE BILL NO. 357—

BY REPRESENTATIVE MONTGOMERY
AN ACT

To enact Part XXXI of Chapter 13 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:3087.281 through 3087.287, relative to creating and providing for the Lake Bistineau Conservation District; to provide for the purpose, boundaries, corporate powers, and governance of the district; to provide for powers and duties of the board of commissioners; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Transportation, Highways and Public Works.

HOUSE BILL NO. 390—

BY REPRESENTATIVES STRAIN AND DANIEL
AN ACT

To amend and reenact R.S. 38:421(B) through (F) and (I) through (K) and to enact R.S. 38:421(O), relative to the assessments and forced contribution of levee and drainage districts; to exempt certain produce and other commodities from the local assessment or forced contribution; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Transportation, Highways and Public Works.

HOUSE BILL NO. 402—

BY REPRESENTATIVE ERDEY
AN ACT

To amend and reenact R.S. 22:1136(B)(1), relative to business entities as insurance producers; to provide for notices; to provide for change of status; to provide for branch locations; to provide for penalties; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Insurance.

HOUSE BILL NO. 403—

BY REPRESENTATIVES WADDELL AND PINAC
AN ACT

To enact R.S. 37:1448.1, relative to real estate brokers and licensees; to provide for requirements for a non-compete agreement; to provide for enforcement; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Commerce, Consumer Protection, and International Affairs.

HOUSE BILL NO. 406—

BY REPRESENTATIVE LAMBERT
AN ACT

To amend and reenact R.S. 43:87, relative to distribution of copies of the official journal of the state containing acts of the legislature; to provide for distribution of copies to judges only upon request; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

HOUSE BILL NO. 425—

BY REPRESENTATIVE TRAHAN
AN ACT

To amend and reenact R.S. 28:63(A) and (C) and to enact R.S. 28:53(N), 53.2(G), and 54(E) and 63(O), relative to civil commitments; to provide for limitations of liability for public and private general hospitals and their personnel; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary A.

HOUSE BILL NO. 446—

BY REPRESENTATIVE TRAHAN
AN ACT

To enact R.S. 6:1094(B) and to repeal R.S. 6:1087(B)(10), relative to residential mortgage lending; to provide for licensure; to provide examination requirements; to establish licensure exemptions; to repeal the requirement of commissioner approval for persons engaging in no more than four residential mortgage lending transactions in a calendar year; to eliminate the licensure exemption for persons engaging in no more than four residential mortgage lending transactions in a calendar year; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Commerce, Consumer Protection, and International Affairs.

HOUSE BILL NO. 453—

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 27:301(B)(12), 308(B)(1) and (C), and 311(H)(1) and (3) and (K)(4) and to enact R.S. 27:3(24), 15(F) and (G), 308(B)(3), 308.1, 308.2, and 311(H)(5), relative to penalties for violations of the Video Draw Poker Devices Control Law; to provide for definitions; to provide for civil penalties; to provide for the adoption of rules; to provide for a penalty schedule; to provide for the authority of the gaming control board regarding suspension and revocation of video draw poker licenses and permits; to provide for a maximum penalty for violations of statutes and rules; to provide for a maximum period of suspension of a video draw poker license or permit; to provide for penalties for failure to submit the annual fee; to define repeated violations and violations; to provide for consent agreements or settlements between licensees or permittees and the state; to clarify which processing fees for new applications and licensing apply to certain licensed establishments; to establish a processing fee for stock or membership sales or transfers of fifty percent or more of a licensed corporation or limited liability company; to provide for legislative intent; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary B.

HOUSE BILL NO. 462—

BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, DORSEY, BRUCE, CROWE, DOERGE, FRITH, GEYMAN, KLECKLEY, LAFONTA, PINAC, RITCHIE, GARY SMITH, WALSWORTH, WHITE, AND WINSTON AND SENATORS HINES, BAJOE, HEITMEIER, AND MOUNT

AN ACT

To amend and reenact R.S. 51:3053(5)(a) and to enact R.S. 51:3054(B)(4), relative to the Louisiana Major Project Development Authority; to provide for certain project thresholds; to authorize the creation of an executive committee of the board of directors; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Commerce, Consumer Protection, and International Affairs.

HOUSE BILL NO. 475—

BY REPRESENTATIVE ST. GERMAIN

AN ACT

To amend and reenact R.S. 56:495.1(A)(2), relative to the inshore shrimp line; to provide updated coordinates for the shrimp trawling line in Breton and Chandeleur Sounds; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Natural Resources.

HOUSE BILL NO. 494—

BY REPRESENTATIVE ST. GERMAIN

AN ACT

To amend and reenact R.S. 56:320(A)(1), relative to use of certain recreational fishing gear; to clarify areas of the state where wire nets and hoop nets may be used for recreational fishing; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Natural Resources.

HOUSE BILL NO. 498—

BY REPRESENTATIVES KLECKLEY, GEYMAN, JOHNS, AND MORRIS AND SENATOR THEUNISSEN

AN ACT

To name a portion of Nelson Road Extension in Calcasieu Parish the L'Auberge Boulevard and to provide for related matters.

On motion of Senator Bajoie, the amended bill was read by title and referred to the Committee on Transportation, Highways and Public Works.

HOUSE BILL NO. 515—

BY REPRESENTATIVE PIERRE

AN ACT

To amend and reenact R.S. 30:136.1(D), relative to fees on state mineral leases; to increase the fee levied on mineral leases on state lands which is dedicated to the Conservation Fund; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Natural Resources.

HOUSE BILL NO. 548—

BY REPRESENTATIVE THOMPSON

AN ACT

To authorize and provide for the transfer of certain property in Richland Parish to the Department of Culture, Recreation and Tourism; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Transportation, Highways and Public Works.

HOUSE BILL NO. 554—

BY REPRESENTATIVE BAYLOR

AN ACT

To enact R.S. 37:575(B)(10), relative to the Board of Cosmetology; to provide for authority to contract with respect to immovable property; to provide for authority to borrow funds; to provide for authority to retain revenue upon sale of property; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Commerce, Consumer Protection, and International Affairs.

HOUSE BILL NO. 596—

BY REPRESENTATIVE FANNIN

AN ACT

To enact R.S. 36:509(U) and Part XXXI of Chapter 13 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:3087.281 through 3087.295, relative to the Jackson Parish Dugdemona Watershed Reservoir Authority; to create the Jackson Parish Dugdemona Watershed Reservoir Authority as a state agency; to provide for a board of commissioners to manage the reservoir authority; to provide for the powers and duties of the authority including the authority to issue bonds; to prohibit certain actions; to provide for penalties; to provide relative to the authority's relationship with the Department of Transportation and Development and the Louisiana Wildlife and Fisheries Commission; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Transportation, Highways and Public Works.

HOUSE BILL NO. 618—

BY REPRESENTATIVE FANNIN

AN ACT

To enact 40:1846(H), relative to liquified petroleum gas; to provide for limitations on liability for certain activities related to liquified petroleum gas; to provide for the liability of retailers, suppliers, handlers, transports, and consumers; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary A.

HOUSE BILL NO. 638—

BY REPRESENTATIVE KLECKLEY

AN ACT

To amend and reenact R.S. 22:6(1) and 71.1(C)(1), relative to life insurance; to provide for the classification of life insurance; to provide for domestic stock insurers; to provide for the authority to transact combinations of kinds of insurance; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Natural Resources.

HOUSE BILL NO. 630—

BY REPRESENTATIVE HEBERT

AN ACT

To authorize the secretary of the Department of Wildlife and Fisheries and the commissioner of administration to sell, convey, transfer, assign, and deliver certain state property located in Iberia Parish.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Insurance.

HOUSE BILL NO. 751—

BY REPRESENTATIVE MONTGOMERY

AN ACT

To amend and reenact R.S. 4:147(2), relative to residency requirements of the state steward appointed by the Louisiana State Racing Commission; to require the steward to be residing in the state upon appointment; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Commerce, Consumer Protection, and International Affairs.

HOUSE BILL NO. 767—

BY REPRESENTATIVE GLOVER

AN ACT

To enact R.S. 14:103.1(D) and (E), relative to the emanation of excessive sound or noise; to provide for the surrender of license plates upon conviction and court order; to authorize local governing authorities to adopt ordinances to provide for the regulation of the emanation of excessive sound or noise; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary C.

HOUSE BILL NO. 768—

BY REPRESENTATIVE PIERRE

AN ACT

To amend and reenact R.S. 14:327(A), (B), and (C), relative to obstructing a fireman; to provide for the definition of a fireman; to increase penalties for obstructing a fireman; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary C.

HOUSE BILL NO. 789—

BY REPRESENTATIVE DANIEL

AN ACT

To enact Chapter 42 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9581, relative to public contracts; to authorize certain political subdivisions to enter into agreements for the construction, maintenance, and operation of public facilities related to sewerage and nonpotable water treatment systems; to provide with respect to the construction and content of such contractual agreements; to provide for the disposition and allocation of revenues and assets; to provide for the pledge of revenues; to provide certain immunities from liability; to provide for limitation of liability; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Environmental Quality.

HOUSE BILL NO. 793—

BY REPRESENTATIVE TOWNSEND

AN ACT

To amend and reenact R.S. 47:1705, relative to the millage rates provided to the assessor and the legislative auditor by tax recipient agencies; to provide for notice of hearings regarding increases in the millage rate; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

**House Concurrent Resolutions
on Second Reading**

The following House Concurrent Resolutions were read and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 4—

BY REPRESENTATIVES SCHNEIDER AND BRUNEAU

A CONCURRENT RESOLUTION

To request the State Civil Service Commission and Department of State Civil Service to provide for a workforce planning program for state departments and agencies, to provide for review of such reports by the Department of State Civil Service and for reports thereon, and to provide for legislative oversight of such program.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Senate and Governmental Affairs.

HOUSE CONCURRENT RESOLUTION NO. 21—

BY REPRESENTATIVE WALKER

A CONCURRENT RESOLUTION

To authorize and direct the Louisiana Commission on Employment of Mental Health Consumers to study and develop a plan to address barriers that prevent persons with mental illness from seeking, obtaining, and maintaining employment.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Health and Welfare.

HOUSE CONCURRENT RESOLUTION NO. 53—

BY REPRESENTATIVE SMILEY

A CONCURRENT RESOLUTION

To urge and request the legislative auditor in the auditing of state agencies, as that term is defined in R.S. 39:2, to include in the performance of such audits an examination of the fiscal efficiency of the entity by determining the relationship between fees charged and services rendered and to report entities levying excessive fees to the Legislative Audit Advisory Council and to the appropriate legislative oversight committees.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Senate and Governmental Affairs.

HOUSE CONCURRENT RESOLUTION NO. 86—

BY REPRESENTATIVE DORSEY

A CONCURRENT RESOLUTION

To designate Tuesday, May 17, 2005, as Northside High School Day and to welcome the students of Northside High School of Lafayette to the Louisiana State Capitol.

The resolution was read by title. Senator Broome moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Malone
Adley	Ellington	Marionneau
Amedee	Fields	McPherson
Bajoie	Fontenot	Michot
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Jackson	Smith
Cravins	Jones	Ullo
Dardenne	Kostelka	
Duplessis	Lentini	
Total - 31		

NAYS

Total - 0

ABSENT

Chaisson	Hollis	Schedler
Cheek	Mount	Theunissen
Total - 6		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 88—
BY REPRESENTATIVES TUCKER AND ARNOLD AND SENATOR HEITMEIER

A CONCURRENT RESOLUTION

To memorialize the Department of Defense to favorably consider the "federal city concept" for expanding the Naval Support Activity military installation on the west bank of the Mississippi River in New Orleans by consolidating the Navy, Marine, and Army flag/general commands in the New Orleans area, moving in the 8th Coast Guard District headquarters, and possibly housing a new regional Homeland Security headquarters at the renovated military installation.

The resolution was read by title. Senator Heitmeier moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dardenne	Kostelka
Adley	Duplessis	Marionneaux
Amedee	Dupre	McPherson
Bajoie	Ellington	Michot
Barham	Fields	Murray
Boasso	Fontenot	Nevers
Broome	Gautreaux B	Romero
Cain	Gautreaux N	Smith
Chaisson	Heitmeier	Theunissen
Cheek	Jackson	Ullo
Cravins	Jones	
Total - 32		

NAYS

Total - 0

ABSENT

Hollis	Malone	Schedler
Lentini	Mount	
Total - 5		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 89—
BY REPRESENTATIVE PINAC

A CONCURRENT RESOLUTION

To commend Russ Freeland, David Mire, and Anna Brooke Trahan on being named Crowley's Outstanding Young Citizens for 2005.

The resolution was read by title. Senator N. Gautreaux moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Lentini
---------------	-----------	---------

Adley	Dupre	Malone
Amedee	Ellington	Marionneaux
Bajoie	Fields	McPherson
Barham	Fontenot	Michot
Boasso	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Heitmeier	Romero
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Dardenne	Kostelka	Ullo
Total - 33		

NAYS

Total - 0

ABSENT

Cravins	Mount
Hollis	Schedler
Total - 4	

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 90—
BY REPRESENTATIVE FANNIN AND SENATOR KOSTELKA

A CONCURRENT RESOLUTION

To commend the Quitman High School golf team upon winning the Division VI state championship.

The resolution was read by title. Senator Ellington moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Malone
Adley	Dupre	Marionneaux
Amedee	Ellington	McPherson
Bajoie	Fields	Michot
Barham	Fontenot	Murray
Boasso	Gautreaux B	Nevers
Broome	Gautreaux N	Romero
Cain	Heitmeier	Schedler
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Cravins	Kostelka	Ullo
Dardenne	Lentini	
Total - 35		

NAYS

Total - 0

ABSENT

Hollis	Mount
Total - 2	

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

Rules Suspended

Senator Marionneaux asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**Senate Resolutions
to be Adopted, Subject to Call**

The following Senate Resolutions to be adopted, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator Marionneaux asked that Senate Resolution No. 23 be called from the Calendar at this time.

SENATE RESOLUTION NO. 23—

BY SENATORS MARIONNEAUX, ADLEY, AMEDEE, BAJOE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, ROMERO, SCHEDLER, SMITH, THEUNISSEN AND ULLO

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana upon the death of Sergeant Paul M. Heltzel of the United States Army National Guard, 2nd Battalion, 156th Infantry Regiment, 256th Brigade Combat Team.

On motion of Senator Marionneaux, the resolution was read by title and adopted.

Called from the Calendar

Senator Marionneaux asked that Senate Resolution No. 24 be called from the Calendar at this time.

SENATE RESOLUTION NO. 24—

BY SENATORS MARIONNEAUX, ADLEY, AMEDEE, BAJOE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, ROMERO, SCHEDLER, SMITH, THEUNISSEN AND ULLO

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army National Guard Sergeant Christopher J. Ramsey upon his death in Operation Iraqi Freedom.

On motion of Senator Marionneaux, the resolution was read by title and adopted.

Rules Suspended

Senator Dupre asked for and obtained a suspension of the rules for the purpose of advancing to the order of Special Orders

Special Order of the Day

The following Senate Bill on Third Reading and Final Passage, which was made Special Order of the Day No. 1, was taken up and acted upon as follows:

SENATE BILL NO. 216—

BY SENATORS DUPRE, HINES, BAJOE, HEITMEIER, MCPHERSON AND MOUNT AND REPRESENTATIVES ALARIO, DORSEY, HAMMETT AND SALTER AND SENATORS ADLEY, AMEDEE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MICHOT, MURRAY, NEVERS, ROMERO, SCHEDLER, SMITH, THEUNISSEN AND ULLO

AN ACT

To enact Part III of Chapter 2 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:120 through 122, Subpart I of Part I of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:120.31, and R.S. 47:306.2, relative to military affairs; to provide relative to military family assistance; to create and provide for donations to the Louisiana Military Family Assistance Fund; to create the Louisiana Military Family Assistance Board, and provide for its composition, powers, and duties; to provide relative to the manner and procedure for distributing money from the fund; to provide terms, procedures, definitions, conditions, and requirements; to provide relative to donation of tax refunds and donations in excess of tax due; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 216 by Senator Dupre

AMENDMENT NO. 1

On page 5, line 2, following "**shall**" and before "**the**" change "**proscribe**" to "**provide**"

AMENDMENT NO. 2

On page 6, line 1, following "**awards**" and before "**made**" insert "**are**"

AMENDMENT NO. 3

On page 7, line 17, following "**them**" and before "**that**" insert ";

AMENDMENT NO. 4

On page 12, line 13, following "**of**" and before "**Title**" insert "**Subtitle II of**"

AMENDMENT NO. 5

On page 12, line 16, at the beginning of the line insert "**of Subtitle II**"

On motion of Senator Lentini, the amendments were adopted.

Floor Amendments Sent Up

Senator Dupre sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dupre to Engrossed Senate Bill No. 216 by Senator Dupre

AMENDMENT NO. 1

On page 1, line 5, after "47:120.31," delete "and R.S. 47:306.2," and insert in lieu thereof "and R.S. 47:297.5 and 306.2,"

AMENDMENT NO. 2

On page 1, line 11, after "in excess of tax due;" insert "to exempt payments from the Military Family Assistance Fund from state individual income tax;"

AMENDMENT NO. 3

On page 8, line 13, after "**percentage**" and before "**per**" insert "**, not to exceed twenty percent,**"

AMENDMENT NO. 4

On page 10, between lines 19 and 20 insert the following:

"C. Donations made under the provisions of this Section shall not be considered part of the taxes collected and administered under Chapter 1 or Chapter 5 of Title 47 of the Louisiana Revised Statutes of 1950, as amended, and are not subject to enforcement or collection under the administrative provisions of Chapter 18 of Title 47 of the Louisiana Revised Statutes of 1950, as amended.

AMENDMENT NO. 5

On page 10, line 20, delete "R.S. 47:306.2 is" and insert "R.S. 47:297.5 and 306.2 are"

AMENDMENT NO. 6

On page 10, between lines 20 and 21, insert

**"§297.5. Exemption from income; payments received from the Louisiana Military Family Assistance Fund
Payments or awards made to activated military personnel or family members of activated military personnel under Part III of Chapter 2 of Title 46 of the Louisiana Revised Statutes of 1950,**

the Louisiana Military Family Assistance Fund, are exempt from the tax imposed by this Part.

* * *

On motion of Senator Dupre, the amendments were adopted.

The bill was read by title. Senator Dupre moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Malone
Adley	Dupre	Marionneaux
Amedee	Ellington	McPherson
Bajoie	Fields	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Heitmeier	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Hollis
Total - 1

The Chair declared the amended bill was passed. The title was read and adopted. Senator Dupre moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Special Order of the Day

The following Senate Bill on Third Reading and Final Passage, which was made Special Order of the Day No. 2, was taken up and acted upon as follows:

SENATE BILL NO. 7—
BY SENATOR BOASSO**AN ACT**

To amend and reenact R.S. 11:62(5)(e) and (11)(c), 403(5), 429, 441(A), 444(A)(1)(a) and (C)(10)(a), 447(A), 537(A), 701(5)(a) and (b), 710(C), 761(A), 768(B)(2), 781(A)(2), and 786(A), to enact R.S. 11:181.1 and to repeal R.S. 11:231(A)(1), 511 and 822, relative to the Louisiana State Employees' Retirement System and the Teachers' Retirement System of Louisiana; to provide relative to the Retirement Preservation Act; to provide for legislative intent; to determine and set required employee contributions; to define average compensation; to provide for retirement eligibility; to provide for computation of retirement benefits; to provide for limitations on compensation increases for purposes of determining average compensation; to provide relative to interest paid on refunds of contributions; to require notice of reemployment of certain retirees; to prohibit participation in the Deferred Retirement Option Plan by certain persons; to provide with respect to the administration and responsibility for the proper operation of the retirement systems; to create one board of trustees; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 7 by Senator Boasso

AMENDMENT NO. 1

On page 1, line 3, and on page 2, line 20, at the beginning of the line change "(c)(10)(a)" to "(c)(introductory paragraph) and (10)(a)"

AMENDMENT NO. 2

On page 1, line 3, and on page 2, line 20, following "(b)," and before "(.)" change "710(c)" to "710(A)(1) and (c)"

AMENDMENT NO. 3

On page 13, line 27, following "**the**" and before "**being**" change "**board**" to "**board's**"

AMENDMENT NO. 4

On page 14, line 4, following "**January**" change "**1st and June 1st**" to "**first and June first**"

AMENDMENT NO. 5

On page 14, line 24, following "**of**" and before "**not- for- profit**" change "**Louisiana based**" to "**Louisiana-based**"

On motion of Senator Lentini, the amendments were adopted.

On motion of Senator Boasso, the amended bill was read by title and returned to the Calendar, subject to call.

Special Order of the Day

The following Senate Bill on Third Reading and Final Passage, which was made Special Order of the Day No. 3, was taken up and acted upon as follows:

SENATE BILL NO. 305—
BY SENATOR BOASSO**AN ACT**

To amend and reenact R.S. 11:181, to enact R.S. 11:186 through 186.5, and to repeal R.S. 11:511 through 517 and 821 through 826, relative to Louisiana State Employees' Retirement System and Teachers' Retirement System of Louisiana; to provide with respect to the administration of the retirement systems; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 305 by Senator Boasso

AMENDMENT NO. 1

On page 4, line 4, following "**four-year**" and before "**the**" change "**term**" to "**terms**"

AMENDMENT NO. 2

On page 5, lines 19 and 21, following "**neither**" and before "**trustee**" insert "**the**"

AMENDMENT NO. 3

On page 5, line 22, at the beginning of the line change "**D.**" to "**C.**"

AMENDMENT NO. 4

On page 5, line 22, change "**Subsection E**" to "**Subsection D**"

AMENDMENT NO. 5

On page 5, line 29, at the beginning of the line change "**E.**" to "**D.**"

AMENDMENT NO. 6

On page 7, line 26, change "**January 1st and June 1st**" to "**January first and June first**"

On motion of Senator Lentini, the amendments were adopted.

Floor Amendments Sent Up

Senator Boasso sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Boasso to Engrossed Senate Bill No. 305 by Senator Boasso

AMENDMENT NO.1

On page 8, between lines 17 and 18, insert the following:

"§186.4.1. Merger of systems

The board shall be authorized to merge Louisiana State Employees' Retirement System and Teachers' Retirement System of Louisiana only by two-thirds vote of the members of the board."

On motion of Senator Boasso, the amendments were adopted.

The bill was read by title. Senator Boasso moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Mount
Barham	Gautreaux B	Romero
Boasso	Lentini	Schedler
Dardenne	Malone	Smith
Dupre	Marionneaux	Theunissen
Ellington	Michot	Ullo
Total - 18		

NAYS

Amedee	Cheek	Heitmeier
Bajoie	Cravins	Jackson
Broome	Duplessis	Jones
Cain	Fields	Murray
Chaisson	Gautreaux N	Nevers
Total - 15		

ABSENT

Mr. President	Kostelka
Hollis	McPherson
Total - 4	

The Chair declared the amended bill failed to pass.

Notice of Reconsideration

Senator Boasso, pursuant to Senate Rule Number 11.12, gave notice that before the expiration of the Morning Hour of the next succeeding legislative day of the Senate, he would move to reconsider the vote by which the bill failed to pass.

Regular Order of the Day Resumed

Senate Bills and Joint Resolutions on Second Reading Reported by Committees

The following Senate Bills and Joint Resolutions reported by Committees were taken up and acted upon as follows:

SENATE BILL NO. 6— BY SENATOR ADLEY

AN ACT

To amend and reenact R.S. 38:291(B)(2), relative to the Bossier Levee District; to provide for an increase in the membership of the district; to provide for the appointing authority; to provide for the term of the additional member; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Original Senate Bill No. 6 by Senator Adley

AMENDMENT NO.1

On page 1, line 10, delete "A."

AMENDMENT NO. 2

On page 1, line 12, delete "(1)"

AMENDMENT NO. 3

On page 1, line 14, after "persons;" and before the colon ":" insert "**to serve as levee commissioners as follows**"

AMENDMENT NO. 4

On page 1, line 16, after "**parish**" insert a period and delete the remainder of the line

On motion of Senator Ellington, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 8—

BY SENATOR THEUNISSEN AND REPRESENTATIVES MORRISH, JOHNS, GEYMANN AND E. GUILLORY
AN ACT

To amend and reenact R.S. 34:204.1(B) and (D)(12), relative to the Lake Charles Harbor and Terminal District; to provide relative to the qualifications and authority of the port director; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Original Senate Bill No. 8 by Senator Theunissen

AMENDMENT NO.1

On page 1, line 13, change "four-year" to "**four-year bachelor's**"

AMENDMENT NO. 2

On page 1, line 14, change "nationally recognized" to "**nationally recognized regional or national**"

AMENDMENT NO. 3

On page 1, line 15, after "recognized" delete the remainder of the line and insert "**and approved by the Louisiana Board of Regents: by the United States Department of Education.**"

On motion of Senator Ellington, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 15—
BY SENATOR ADLEY

AN ACT

To enact R.S. 25:151(E), relative to the disposition of books by public libraries; to authorize the Webster Parish Library, through its governing board, to sell books directly to the public and retain the proceeds; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. On motion of Senator Fields, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 27—
BY SENATORS MCPHERSON, DUPLESSIS AND MURRAY
AN ACT

To enact R.S. 47:305.53 and 337.9(D)(27), relative to sickle cell disease organizations; to provide for a state and political subdivision sales tax exemption; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. On motion of Senator Mount, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 46—
BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 38:2219(A)(3), relative to public contracts; to provide relative to contracts with the New Orleans Sewerage and Water Board for the purchase of goods and services; to increase that amount which is not subject to performance or surety bond requirements; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. On motion of Senator Fields, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 56—
BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 33:4121(E), relative to the Sewerage and Water Board of New Orleans; to provide for a technical change in the board's bonding authority; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. On motion of Senator Fields, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 70—
BY SENATORS KOSTELKA AND ELLINGTON
AN ACT

To amend and reenact R.S. 32:387.17(A)(5), relative to special permits; to extend authorization for issuance of special permits for trucks hauling containerized cargo in international trade intended for exportation within a fifty-mile radius of the Port of Ouachita; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways and Public Works. On motion of Senator Ellington, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 80—
BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 33:4084(A)(1)(a), relative to the Sewerage and Water Board of New Orleans; to change the threshold contract amount of materials and supplies contracts with the board that must be advertised for public bid; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. On motion of Senator Fields, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 81—
BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 33:4079, relative to the Sewerage and Water Board of New Orleans; to provide for the conformity to plans for drainage system and related facilities; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. On motion of Senator Fields, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 97—
BY SENATOR CRAVINS

AN ACT

To enact R.S. 33:221.4, relative to St. Landry Parish; to provide for municipal annexation; to provide with regard to special service districts and contracts, taxes, and services related thereto; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 97 by Senator Cravins

AMENDMENT NO.1

On page 2, line 13, after "**B.**" insert "**(1)**"

AMENDMENT NO. 2

On page 2, between lines 17 and 18 insert the following:

"(2) Notwithstanding any provision in this Section to the contrary, if the municipality and the special taxing district fail to enter into a contract for property currently annexed, neither the special taxing district nor the municipality may collect taxes or subject the annexed property to dual taxation."

On motion of Senator Fields, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 99—
BY SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 33:1448(G), relative to St. Landry Parish Sheriff's Office; to provide relative to the payment of certain insurance premiums for sheriffs and deputy sheriffs; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Original Senate Bill No. 99 by Senator Cravins

AMENDMENT NO.1

On page 1, line 2, after "To" delete the remainder of the line and insert "enact R.S. 33:1448(P), relative to group insurance premiums; to provide for the payment of insurance premiums for certain retired sheriffs and retired deputy sheriffs in St. Landry Parish; to provide for an effective date; and to provide for related matters."

AMENDMENT NO. 2

On page 1, delete lines 3 and 4 in their entirety.

AMENDMENT NO. 3

On page 1, line 7, after "Section 1." delete "R.S. 33:1448(G) is hereby amended and reenacted" and insert "R.S. 33:1448(P) is hereby enacted"

AMENDMENT NO. NO. 4

May 10, 2005

On page 1, delete lines 10 through 17 in their entirety and insert in lieu thereof the following:

"P. Notwithstanding the provisions of Subsection D of this Section, in the parish of St. Landry, one hundred percent of the premium costs of group hospital, surgical, and medical expense insurance and the first ten thousand dollars of life insurance contracted for under the provisions of this Section shall be paid from the sheriff's general fund for any sheriff or full-time deputy sheriff who has retired from the St. Landry Parish sheriff's office and who is entitled to receive monthly benefits from the Sheriff's Pension and Relief Fund and who has either of the following:

(1) At least fifteen years of full-time service with the St. Landry Parish sheriff's office and is at least fifty-five years of age.

(2) At least thirty years of full-time service with the St. Landry Parish sheriff's office, regardless of age."

AMENDMENT NO. 5

On page 2, delete lines 1 through 11 in their entirety.

On motion of Senator B. Gautreaux, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 101—

BY SENATOR BOASSO

AN ACT

To amend and reenact R.S. 34:1702 and to enact R.S. 34:1703(F) and 1703.1, relative to deep water ports; to provide for the board of commissioners of the St. Bernard Port, Harbor and Terminal District; to increase membership; to provide relative to the appointment and terms of commissioners; to provide relative to the qualifications and responsibilities of a port director; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Original Senate Bill No. 101 by Senator Boasso

AMENDMENT NO. 1

On page 5, at the beginning of line 13, after "**B.**" delete "**The**" and insert "**(1) Except as provided in Paragraph (2) of this Subsection, the**"

AMENDMENT NO. 2

On page 5, delete lines 15 through 19 and insert as follows:

"(a) A bachelor's degree from a college or university that was, at the time the degree was granted, accredited by a regional or national higher education accrediting agency recognized by the United States Department of Education.

(b) At least five years of experience in port operations, trade or industrial development, or business or public administration.

(2) Subject to approval by the board, the alternative minimum qualification for the port director shall be ten or more years of experience in port operations, trade or industrial development or business or public administration, with such experience to include a minimum of five years of employment in a senior management position at a port."

On motion of Senator Ellington, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 102—

BY SENATOR ELLINGTON AND REPRESENTATIVE QUEZAIRE

AN ACT

To enact R.S. 49:191(3) and to repeal R.S. 191(1)(e), relative to the Department of Transportation and Development; to provide for the re-creation of the Department of Transportation and Development and the statutory entities made a part of the

department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways and Public Works. On motion of Senator Ellington, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 115—

BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 15:146(B)(1)(a), relative to the indigent defender fund for the Eighteenth Judicial District; to increase criminal costs in the City Court of Port Allen to fund indigent defense; and to provide for related matters.

Reported favorably by the Committee on Finance. On motion of Senator Heitmeier, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 118—

BY SENATORS BARHAM, CHEEK, CRAVINS, LENTINI, MURRAY AND NEVERS

AN ACT

To amend and reenact R.S. 29:406(A) and (C) and 410(A)(introductory paragraph) and (A)(3), (E)(1)(introductory paragraph), (E)(1)(c) and (d), (E)(2)(a), (E)(3), and (F)(1)(introductory paragraph) and to enact R.S. 29:410(E)(4), relative to the Military Service Relief Act; to provide with respect to certain rights for employees who are in the uniformed services and called to active duty and who wish to return to positions of employment held prior to active duty service; to provide with respect to notification and accrual and entitlement to vacation leave; and to provide for related matters.

Reported with amendments by the Committee on Labor and Industrial Relations.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Labor and Industrial Relations to Original Senate Bill No. 118 by Senator Barham

AMENDMENT NO. 1

On page 2, line 2, delete "**reports for, or**"

AMENDMENT NO. 2

On page 2, delete lines 7, 8, and 9 in their entirety and in lieu thereof, insert the following: "**if he had not been performing service in the uniformed services."**

AMENDMENT NO. 3

On page 2, line 17, after "person", delete "reports"

AMENDMENT NO. 4

On page 2, 18, delete "**for, or**"

AMENDMENT NO. 5

On page 2, at the end of line 23, after "services, delete "**report for, or**"

AMENDMENT NO. 6

On page 3, line 20, after "fails to" delete "report **for, or**"

AMENDMENT NO. 7

On page 4, line 7, delete "**reports for, or**"

On motion of Senator Nevers, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 119—
BY SENATOR JACKSON

AN ACT

To amend and reenact R.S. 17:1517(A) and (B) and the introductory paragraph of (D) and to enact R.S.17:1516(C), relative to the Louisiana State University and Agricultural and Mechanical College Medical School at Shreveport, to provide for the components and organization of this facility; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 119 by Senator Jackson

AMENDMENT NO.1

On page line 2, after "R.S. 17: " insert "1516(A)," and after "(D)" delete "and" and insert ", 3215(6), (7), and (8)" and on line 3, delete "to enact R.S. 17:1516(C)"

AMENDMENT NO. 2

On page 1, line 7, after "R.S. 17:" insert "1516(A)," and after "(D)" insert ", 3215(6), (7), and (8)" and on line 8, delete "and R.S. 17:1516(C) is hereby enacted"

AMENDMENT NO. 3

On page 1, delete lines 9 through 17 and insert the following:

"SUBPART C-1. **MEDICAL SCHOOL** **LSU HEALTH SCIENCES CENTER--SHREVEPORT**

§1516. Creation; administration

A. A branch of Louisiana State University and Agricultural and Mechanical College Medical School **The Louisiana State Health Science Center at Shreveport** is hereby created and established at Shreveport, Louisiana.

* * *

AMENDMENT NO. 4

On page 2, line 5, delete **University Hospital** and insert **LSU Hospital at**

AMENDMENT NO. 5

On page 2, line 6, change "and Agricultural" to "and ~~Agricultural~~"

AMENDMENT NO. 6

On page 2, line 7, change "and Mechanical College Medical School" to "~~and Mechanical College Medical School~~ **Health Sciences Center**" and change "medical" to "~~medical~~ **health sciences**"

AMENDMENT NO. 7

On page 2, line 12, delete "**(1)**" and on line 13, delete "**and Agricultural and**" and delete line 14, and insert "**Health Sciences Center at Shreveport, including the LSU**"

AMENDMENT NO. 8

On page 2, line 15, after "**Hospital**" insert "**at**" and on line 17, change "medical" to "~~medical~~ **health sciences**"

AMENDMENT NO. 9

On page 2, delete lines 18 through 25

AMENDMENT NO. 10

On page 3, line 1, delete "**University Hospital**" and insert "**LSU Hospital at**" and after line 2, insert the following:

"§3215. Louisiana State ~~University~~ system

The Louisiana State University system is composed of the institutions under the supervision and management of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College as follows:

* * *

(6) ~~The health sciences center, also referred to as the medical center, which shall be composed of and shall administer:~~

(a) ~~The medical and related health schools and programs located in New Orleans, Shreveport, and elsewhere in the state.~~

(b) ~~University Hospital at Shreveport and E. A. Conway Medical Center at Monroe.~~

(c) ~~Subject to provisions of R.S. 17:1519 et seq., the state's medical centers transferred to the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College as provided in Subpart C-2 of Part II of Chapter 4 of this Title: **LSU Health Sciences Center at New Orleans shall include medical and related health schools and programs located in New Orleans to include those state's medical centers transferred to the Board of Supervisors of Louisiana State University and Agricultural Mechanical College as provided in Subpart C-2 of Part II of Chapter 4 of this Title, subject to provisions of R.S. 17:1519, et. seq.**~~

(7) **LSU Health Sciences Center at Shreveport, which shall include the medical school and related schools at Shreveport, LSU Hospital at Shreveport and E. A. Conway Medical Center at Monroe.**

(7)(8) The Center for Agricultural Sciences and Rural Development which administers the agricultural extension and research programs of the board throughout the state. The center shall also be responsible for conducting river water research.

(8)(9) Any other college, university, school, institution or program now or hereafter under the supervision and management of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College."

Section 2. This Act shall become effective on July 1, 2005."

On motion of Senator Ullo, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 143—

BY SENATORS CAIN, ADLEY AND MOUNT

AN ACT

To designate a portion of Louisiana Highway 12 located in the city of DeQuincy as the "Buddy Henagan Memorial Parkway."

Reported with amendments by the Committee on Transportation, Highways and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Original Senate Bill No. 143 by Senator Cain

AMENDMENT NO.1

On page 1, at the end of line 7, insert "The Department of Transportation and Development shall erect appropriate signage reflecting the designation of that portion of Louisiana Highway 12."

On motion of Senator Ellington, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 144—

BY SENATOR NEVERS AND REPRESENTATIVE CRANE

AN ACT

To amend and reenact R.S. 17:427.3(A), (B), (C), (H) and (I)(1), relative to the Teach Louisiana First Program; to provide relative to reducing the shortage of certified teachers in low-performing schools and districts; to provide relative to program purposes, incentive payments, eligibility and selection criteria, reports, and administration; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 144 by Senator Nevers

AMENDMENT NO.1

On page 5, line 13, after "**board**" insert "**policy**"

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On motion of Senator Ullo, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 167—

BY SENATOR AMEDEE AND REPRESENTATIVE QUEZAIRE
AN ACT

To enact R.S. 38:326.1(E), relative to the Lafourche Basin Levee District; to authorize the district to contract for certain law enforcement services with sheriffs' offices within the boundaries of the levee district; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Original Senate Bill No. 167 by Senator Amedee

AMENDMENT NO. 1

On page 1, line 7, after "R.S. 38:326.1" insert "(E)"

On motion of Senator Ellington, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 182—

BY SENATOR DUPRE
AN ACT

To enact Subpart A-3 of Part II of Chapter 2 of Subtitle 1 of Title 30 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 30:150, relative to mineral leases; to provide relative to mineral leases on state lands; to provide certain drilling incentives; to provide relative to royalties; to create the Louisiana Royalty Relief Dry Hole Credit Program; to provide certain terms, conditions, procedures, and requirements; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 182 by Senator Dupre

AMENDMENT NO. 1

On page 1, delete lines 16 and 17 and insert

"A. Notwithstanding any other provision of law to the contrary, the Department of Natural Resources may by rule provide a dry hole credit program as set forth in this Section for certain drilling in"

AMENDMENT NO. 2

On page 2, line 7, after "**feet**" insert "**true vertical depth**"

AMENDMENT NO. 3

On page 2, between lines 16 and 17, insert

"(7) The records and reports of the operator concerning the provisions of this Section shall at all times be open to inspection and audit by the Department of Natural Resources."

AMENDMENT NO. 4

On page 2, line 17, change "(7)" to "(8)"

AMENDMENT NO. 5

On page 2, line 19, change "(8)" to "(9)"

AMENDMENT NO. 6

On page 2, line 22, after "production" insert "**derived from depths of greater than 19,999 feet true vertical depth**"

AMENDMENT NO. 7

10th DAY'S PROCEEDINGS

On page 2, line 26, after "**cost of the**" delete the remainder of the line and insert

"dry hole well. The cost of the dry hole well shall be calculated and determined in accordance with rules adopted by the State Mineral Board. The royalty relief shall be prorated over a thirty-six"

AMENDMENT NO. 8

On page 2, line 28, delete "**the state constitution**" and insert in lieu thereof "**R.S. 30:127**"

AMENDMENT NO. 9

On page 2, line 29, delete "**the constitution**" and insert in lieu thereof "**R.S. 30:127**"

AMENDMENT NO. 10

On page 3, line 4, delete "**The**" and insert "**If a dry hole credit is offered as provided in this Section, the**"

AMENDMENT NO. 11

On page 3, line 18, after "**wetland impact**" delete the period and insert "**, in accordance with rules adopted by the Department of Natural Resources."**

AMENDMENT NO. 12

On page 3, between lines 23 and 24, insert

"H. The Department of Natural Resources shall promulgate and adopt rules in accordance with the Administrative Procedure Act to implement the provisions of this Section if a dry hole credit program is established."

AMENDMENT NO. 13

On page 3, line 24, change "**H.**" to "**I.**"

On motion of Senator Malone, the committee amendment was adopted. The amended bill was read by title, ordered engrossed and recommitted to the Committee on Revenue and Fiscal Affairs.

SENATE BILL NO. 187—

BY SENATORS DUPRE, N. GAUTREAUX, MALONE, MCPHERSON, MICHOT AND ROMERO AND REPRESENTATIVES BALDONE, PITRE AND ST. GERMAIN

A JOINT RESOLUTION

Proposing to add Article VII, Section 10.2(E) of the Constitution of Louisiana, relative to the Wetlands Conservation and Restoration Fund; to provide relative to certain federal revenues received by the state generated from Outer Continental Shelf oil and gas activity; to provide for the depositing and crediting of such monies into the Wetlands Conservation and Restoration Fund, and for the uses of such federal revenues; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 187 by Senator Dupre

AMENDMENT NO. 1

On page 1, delete lines 15 through 17 and insert

"(E)(1) Subject to Article VII, Sections 9(B) and 10.1 of this constitution, federal revenues that are received by the state generated from Outer Continental Shelf oil and gas activity and eligible, as provided by federal law, to be used for the purposes of this Paragraph shall be deposited and credited by the treasurer to the Wetlands Conservation and Restoration Fund."

AMENDMENT NO. 2

On page 2, delete lines 1 through 4

AMENDMENT NO. 3

On page 2, delete line 8 and insert

"infrastructure directly impacted by coastal wetland losses."**AMENDMENT NO. 4**

On page 2, line 16, after "that" and before "federal revenues" insert "eligible"

AMENDMENT NO. 5

On page 2, delete line 20 and insert "directly impacted by coastal wetland losses."

On motion of Senator Malone, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 195—

BY SENATORS DUPRE, BAOJIE, N. GAUTREAUX, HINES, MALONE, MCPHERSON, MICHOT, MOUNT AND ROMERO AND REPRESENTATIVES ALARIO, BALDONE, DORSEY, HAMMETT, PITRE, SALTER AND ST. GERMAIN

AN ACT

To amend and reenact R.S. 49:213.7(A)(2)(introductory paragraph), (C) and (D), and to enact R.S. 49:213.7(B)(3) and (E)(7), relative to the Wetlands Conservation and Restoration Fund; to provide relative to certain federal revenues to be credited and deposited to the fund; to provide relative to fund uses; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 195 by Senator Dupre

AMENDMENT NO. 1

On page 2, line 10, after "~~for herein~~," delete the remainder of the line and deletes lines 11 through 16 and insert

"(1) Subject to Article VII, Sections 9(B) and 10.1 of the state constitution, federal revenues that are received by the state generated from Outer Continental Shelf oil and gas activity and eligible, as provided by federal law, to be used for the purposes provided in this Subsection shall be deposited and credited by the treasurer to the Wetlands Conservation and Restoration Fund.

(2) Such federal revenues"

AMENDMENT NO. 2

On page 2, delete line 18, and insert **"restoration, and infrastructure directly impacted by coastal"**

AMENDMENT NO. 3

On page 3, delete lines 7 and 8 and insert

"(7) For coastal wetlands restoration, coastal restoration, and infrastructure directly impacted by coastal wetlands losses."

AMENDMENT NO. 4

On page 3, line 12, delete "Senate Bill No-----" and insert "Senate Bill No. 187"

On motion of Senator Malone, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 210—

BY SENATOR HEITMEIER

AN ACT

To amend and reenact Sections 1 and 2 of Act No. 233 of the 1984 Regular Session of the Legislature, as amended by Act No. 847 of the 1992 Regular Session of the Legislature, Act No. 1364 of the 1997 Regular Session of the Legislature, and Act No. 1378 of the 1999 Regular Session of the Legislature, relative to the Bohemia Spillway; to provide a procedure for persons claiming an ownership interest in property or minerals located in the Bohemia Spillway; to provide for certification of property and mineral ownership interest and for the return of such property and mineral interest to the certified owner or his successor by

the Board of Levee Commissioners of the Orleans Levee District; to provide for payment by the board to the certified owner or his successor for mineral revenues received by the board from such property after June 29, 1984; to provide an exemption to the board of commissioners from certain judgements rendered involving title to properties and claims involving mineral revenues derived from land located in the spillway; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 210 by Senator Heitmeier

AMENDMENT NO. 1

On page 4, line 1, change "**interest**" to "**interests**"

AMENDMENT NO. 2

On page 4, between line 5 and 6, insert

"(iii) The board has settled all claims of members of the class established in the matter of "Haspel and Davis, Milling and Planting, Co., Ltd., et al. vs. Board of Levee Commissioners" Docket No. 31-357 of the 25th Judicial District Court for the Parish of Plaquemines, by judgment dated December 11, 2000, and the settlement agreement homologated therein, the "Judgment", and the board has made partial payments of amounts owed under the Judgment.
(iv) The board intends to make additional payments to satisfy its obligations under the Judgment."

AMENDMENT NO. 3

On page 5, line 14, change "**(iii)**" to "**(v)**"

AMENDMENT NO. 4

On page 5, line 16, change "**(iv)**" to "**(vi)**"

AMENDMENT NO. 5

On page 5, line 19, change "**(v)**" to "**(vii)**"

AMENDMENT NO. 6

On page 6, line 16, change "**2006**" to "**2007**"

AMENDMENT NO. 7

On page 6, line 24, change "**2006**" to "**2007**"

AMENDMENT NO. 8

On page 6, delete line 28, and insert "**(ii) After the end of the time period for filing claims, there shall be no cause or right of action against the board or the department as to any**"

AMENDMENT NO. 9

On page 6, line 29, after "**property**" insert "**certified by the department and**"

AMENDMENT NO. 10

On page 7, line 3, delete "**If**" and insert "**After the end of the time period for filing claims, if**"

AMENDMENT NO. 11

On page 7, line 5, after "**paid**" insert "**directly**" and after "**board**" insert "**under the judgment**"

AMENDMENT NO. 12

On page 7, line 7, after "**owner**" insert "**only**"

AMENDMENT NO. 13

On page 7, line 8, delete "**The**" and insert "**After the end of the time period for filing claims, the**"

AMENDMENT NO. 14

On page 7, line 10, after "**paid**" insert "**or paid prospectively**"

On motion of Senator Malone, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 212—

BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 13:3049(B)(2)(a), relative to judicial procedure; to provide relative to civil jury trials; to require certain filing fees for such trials; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Original Senate Bill No. 212 by Senator Marionneaux

AMENDMENT NO. 1

On page 1, line 14, change "**The**" to "**At the time of posting bond, the**"

On motion of Senator Heitmeier, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 235—

BY SENATOR ULLO AND REPRESENTATIVES TOOMY AND WOOTON

AN ACT

To enact R.S. 34:851.27(B)(9), relative to regulation of vessels and motorboats; to authorize the regulation of air boats by the governing authority of Jefferson Parish and its municipalities; to provide for terms and conditions; to provide for the enforcement of such regulation, and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. On motion of Senator Fields, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 268—

BY SENATORS SMITH AND ELLINGTON

AN ACT

To amend and reenact R.S. 48:274.1(A)(2)(a), relative to outdoor logo signing program on interstate highways; to provide relative to contracts with third parties; to provide for payment to the Department of Transportation and Development for use of rights-of-way; to provide for selection of the third party or parties to be a competitive process in accordance with the procurement code; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways and Public Works. On motion of Senator Ellington, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 278—

BY SENATOR NEVERS

AN ACT

To amend and reenact R.S. 38:3087.191, the introductory paragraph of R.S. 38:3087.192(B), 3087.192(C), 3087.193(B), 3087.194(B), 3087.196, 3087.197(A)(2) and (8), 3087.198(A)(6), 3087.199(A)(1), (B)(1) and (2), (C)(1), (D)(1), 3087.204, and 3087.205(A) and (B), relative to the Washington Parish Reservoir District; to provide for the creation, maintenance, and operation of a single reservoir in the district; to provide for reimbursement of the amount actually paid for property returned to a prior landowner; to limit the authority of the district to expropriate property; to provide for payment to owners whose property is subject to expropriation; to provide for terms for members of the board of commissioners of the district; to authorize agreements with landowners regarding building restrictions on non-submerged property; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Original Senate Bill No. 278 by Senator Nevers

AMENDMENT NO. 1

On page 1, at the end of lines 2 and 15, after "R.S. 38:3087.192(B)" and before the comma ",", insert "and (C)"

AMENDMENT NO. 2

On page 1, at the beginning of lines 3 and 16, delete "3087.192(C)"

AMENDMENT NO. 3

On page 3, immediately at the end of line 7, add the following:

"However, in lieu of purchasing the property, the district may obtain a flood servitude or flowage easement, upon payment of a negotiated amount, on that land located between the normal pool stage and the maximum flood elevation as determined by the district."

AMENDMENT NO. 4

On page 3, line 29, after "**owner on**" delete the remainder of the line and insert in lieu thereof the following:

"a parcel of land equal to the parcel of land where the existing home was located and as near as"

AMENDMENT NO. 5

On page 7, at the end of line 5, after "reservoir" and before the period ".", insert as follows:

", provided, however, that nothing in this Section shall prohibit the otherwise lawful anchorage of boats and watercraft, or the otherwise lawful use of legal fishing gear"

AMENDMENT NO. 6

On page 8, line 3, after "\$3087.205." delete the remainder of the line and insert as follows:

"Management of fish, game, and wildlife; Regulation of water level, watercraft, commercial establishments"

AMENDMENT NO. 7

On page 8, delete lines 6 and 7, and insert as follows:

"B. ~~The Wildlife and Fisheries Commission, after due consideration of the recommendations of the board,~~ The board shall also have the authority to regulate the size and"

AMENDMENT NO. 8

On page 8, between lines 9 and 10, insert asterisks as follows:

"* * *

On motion of Senator Ellington, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 280—

BY SENATOR N. GAUTREAUX

AN ACT

To enact R. S. 30:127.2, relative to oil and natural gas royalty payments; to provide certain royalty incentives; to provide certain terms, conditions, requirements and effects; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 280 by Senator N. Gautreaux

AMENDMENT NO. 1

On page 1, line 15, change "**and**" to "**or**"

AMENDMENT NO. 2

On page 1, line 16, after "**Resources**" insert "**, office of conservation,**"

AMENDMENT NO. 3

On page 2, between line 9 and 10, insert "**(3) An exploratory well is a well completed in a new reservoir, and not penetrated by a well capable of producing oil or natural gas in commercial quantities from such reservoir.**"

AMENDMENT NO. 4

On page 2, line 12, after "**areas,**" insert "**a lessee may apply for royalty relief from the State Mineral Board. The**" and delete "**the**"

AMENDMENT NO. 5

On page 2, line 13, change "**and**" to "**or**"

AMENDMENT NO. 6

On page 2, line 19, delete "**a single**" and insert "**up to a**"

AMENDMENT NO. 7

On page 2, delete line 20 and insert "**period extension, but in no case shall the relief extend after reaching payout. "Payout" is to be defined by the board.**"

AMENDMENT NO. 8

On page 2, delete lines 21 through 23

AMENDMENT NO. 9

On page 2, line 28, delete "**a single**" and insert "**up to a**"

AMENDMENT NO. 10

On page 2, line 29, after "**extension**" insert "**, but in no case shall the relief extend after reaching payout.**"

AMENDMENT NO. 11

On page 3, line 1, change "**year**" to "**month**"

AMENDMENT NO. 12

On page 3, line 3, after "**oil**" insert "**during that month**"

AMENDMENT NO. 13

On page 3, line 6, change "**year**" to "**month**"

AMENDMENT NO. 14

On page 3, line 8 change "**million**" to "**thousand**"

AMENDMENT NO. 15

On page 3, line 8, after "**gas**" insert "**during that month**"

AMENDMENT NO. 16

On page 3, line 12, change "**contribute**" to "**donate**"

AMENDMENT NO. 17

On page 3, at the end of line 13, insert "**The donation shall be collected by the office of mineral resources and deposited into the Wetlands Conservation and Restoration Fund.**"

AMENDMENT NO. 18

On page 3, between line 13 and 14, insert "**H. The lessee and operator shall submit a certificate from the secretary of state that both the lessee and operator, if different, are registered and in good standing with the secretary of state.**"

AMENDMENT NO. 19

On page 3, line 14, change "**H**" to "**I**"

AMENDMENT NO. 20

On page 3, delete line 22, and insert "**board.**"

AMENDMENT NO. 21

On page 3, line 23, change "**I**" to "**J**"

AMENDMENT NO. 22

On page 3, line 28, change "**I**" to "**K**"

AMENDMENT NO. 23

On page 4, line 4, delete "**due or paid**" and insert "**that would have been due or paid under the terms and conditions of the affected state mineral lease or leases**"

AMENDMENT NO. 24

On page 4, line 6, delete "**secretary of the Department of**" and insert "**State Mineral Board**"

AMENDMENT NO. 25

On page 4, line 7, delete "**Natural Resources**"

AMENDMENT NO. 26

On page 4, at the end of line 8, insert "**The penalty shall be deposited and credited by the treasurer to the Mineral Resources Operation Fund.**"

AMENDMENT NO. 27

On page 4, line 9, change "**K**" to "**L**" and after "**operator**" insert "**or lessee**"

AMENDMENT NO. 28

On page 4, line 11, delete "**, and the secretary of the Department**"

AMENDMENT NO. 29

On page 4, line 12, delete "**of Revenue**"

AMENDMENT NO. 30

On page 4, line 13, change "**L**" to "**M**"

AMENDMENT NO. 31

On page 4, line 14, delete "**, and the secretary of the Department**"

AMENDMENT NO. 32

On page 4, line 15, delete "**of Revenue**" and delete "**jointly**"

On motion of Senator Malone, the committee amendment was adopted. The amended bill was read by title, ordered engrossed and recommitted to the Committee on Revenue and Fiscal Affairs.

SENATE BILL NO. 289—

BY SENATOR MURRAY

AN ACT

To enact R.S. 33:4079.1, relative to the Sewerage and Water Board of New Orleans; to provide for the authorization to lease conduit to house fiber optic cable by the Sewerage and Water Board of New Orleans; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. On motion of Senator Fields, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 307—

BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 39:1351(A) and (B), 1352, 1353, and 1354, and to enact R.S. 17:10.1(C), relative to fiscal administrators for political subdivisions; to provide relative to the authority to seek the judicial appointment of a fiscal administrator for political subdivisions; to provide for the authority of the State Board of Elementary and Secondary Education to define certain circumstances applicable to city, parish, and other local public school systems; to provide relative to the appointment of a fiscal administrator; to provide relative to the duties, authority, and termination of the authority of such fiscal administrator; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Page 22 SENATE

May 10, 2005

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 307 by Senator Murray

AMENDMENT NO. 1

On page 2, line 16, after "expenditures" insert ", excluding civil judgments,"

AMENDMENT NO. 2

On page 3, line 13, after "expenditures" insert ", excluding civil judgments,"

AMENDMENT NO. 3

On page 4, lines 17 and 26, after "expenditures" insert ", excluding civil judgments,"

AMENDMENT NO. 4

On page 5, lines 12 and 29, after "expenditures" insert ", excluding civil judgments,"

AMENDMENT NO. 5

On page 6, lines 8 and 18, after "expenditures" insert ", excluding civil judgments,"

On motion of Senator Ullo, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 313—

BY SENATOR MARIONNEAUX AND REPRESENTATIVE MCVEA
AN ACT

To enact R.S. 33:2740.62, relative to special districts; to create the East Feliciana Parish Economic Development District; to provide for the purpose and governance of the district; to provide for its rights and powers, including the authority for tax financing by the district; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. On motion of Senator Fields, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 325—

BY SENATOR JONES
AN ACT

To enact R.S. 33:9038.28, relative to special districts; to create the city of Monroe Riverfront Development District within the Monroe Downtown Development District; to provide relative to the purpose, governance, duties, and authority of the district; to provide for its rights and powers, including the authority for tax increment financing by the district, subject to the approval of district voters; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 325 by Senator Jones

AMENDMENT NO. 1

On page 2, delete lines 5 through 29

AMENDMENT NO. 2

On page 3, delete lines 1 through 29

AMENDMENT NO. 3

On page 4, delete lines 1 through 12

AMENDMENT NO. 4

On page 4, at the beginning line 13, change "F." to "D."

AMENDMENT NO. 5

On page 5, at the beginning of line 7, change "G." to "E."

10th DAY'S PROCEEDINGS

AMENDMENT NO. 6

On page 5, at the beginning of line 12, change "H." to "F."

On motion of Senator Fields, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 327—

BY SENATOR JONES

AN ACT

To enact R.S. 46:1053(C)(2)(e), relative to hospital service districts; to authorize an increase in per diem for the members of the board of commissioners of the Madison Parish Hospital Service District; to increase the number of meeting days payable by a per diem; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. On motion of Senator Fields, the bill was read by title, ordered engrossed, and passed to a third reading.

House Bills and Joint Resolutions on Second Reading Reported by Committees

The following House Bills and Joint Resolutions reported by Committees were taken up and acted upon as follows:

HOUSE BILL NO. 658—

BY REPRESENTATIVE SCHNEIDER

AN ACT

To amend and reenact R.S. 11:263, 264, 264.4, 264.7(A), 266(B) and (C), 267(B)(2) and (C), and 269, to enact R.S. 11:264.5(C) and Subpart N of Part II of Chapter 4 of Subtitle I of Title 11 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 11:351 and 352, and to repeal R.S. 11:267(B)(3) and (D), relative to investments of the state and statewide retirement systems; to provide relative to fiduciary duty, including enforcement of requirements therefor; to require disclosure by investment consultants and money managers; to provide for penalties; to provide for reports; to provide relative to investments in certain sanctioned nations; to provide for definitions; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

Reconsideration

On motion of Senator Amedee, pursuant to the previous notice given, the vote by which the following bill failed to pass on Monday, May 9, 2005, was reconsidered.

SENATE BILL NO. 166—

BY SENATOR AMEDEE

AN ACT

To amend and reenact R.S. 14:122.2(A) and (B) and to enact R.S. 14:122.2(D), relative to threatening a public official; to include electronic communications threatening a public official; to provide for increased penalties; and to provide for related matters.

On motion of Senator Amedee, the bill was read by title and returned to the Calendar, subject to call.

Senate Concurrent Resolutions on Second Reading Reported by Committees

The following Senate Concurrent Resolutions reported by Committees were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 11—

BY SENATOR HEITMEIER

A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Transportation and Development to install traffic controls or reduce the speed limit on Louisiana Highway 406 (Woodland Highway) in Belle Chasse, Louisiana.

Reported favorably by the Committee on Transportation, Highways and Public Works.

The resolution was read by title. Senator Heitmeier moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dardenne	Malone
Adley	Duplessis	Marionneaux
Amedee	Dupre	McPherson
Bajoie	Ellington	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux N	Murray
Broome	Heitmeier	Nevers
Cain	Jackson	Romero
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Cravins	Lentini	Ullo
Total - 33		

NAYS

Total - 0

ABSENT

Fields	Hollis
Gautreaux B	Schedler
Total - 4	

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

SENATE CONCURRENT RESOLUTION NO. 12—

BY SENATOR MOUNT

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to provide the necessary funding to restore Calcasieu Ship Channel in southwest Louisiana to its authorized dimensions in order that the economic, safety, and security concerns may be adequately addressed.

Reported favorably by the Committee on Transportation, Highways and Public Works.

The resolution was read by title. Senator Mount moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Marionneaux
Adley	Dupre	Michot
Amedee	Ellington	Mount
Bajoie	Fields	Murray
Barham	Fontenot	Nevers
Boasso	Gautreaux N	Romero
Broome	Heitmeier	Schedler
Cain	Jackson	Smith
Chaisson	Jones	Theunissen

Cheek
Cravins
Dardenne
Total - 34

Kostelka
Lentini
Malone

Ullo

NAYS

Total - 0

ABSENT

Gautreaux B
Total - 3

Hollis

McPherson

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

SENATE CONCURRENT RESOLUTION NO. 16—

BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Transportation and Development and the Louisiana Department of Culture, Recreation and Tourism, in cooperation with the National D-Day Museum, to erect a memorial marker at the visitor center on Interstate 10 in Slidell honoring Dr. Stephen Ambrose.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Original Senate Concurrent Resolution No. 16 by Senator Schedler

AMENDMENT NO.1

On page 2, between lines 12 and 13, insert the following:

"BE IT FURTHER RESOLVED that the Department of Transportation shall provide for site selection, installation, and maintenance of the memorial marker; the Department of Culture, Recreation and Tourism shall provide for fabrication of the memorial marker and the necessary funds therefor; and the D-Day Museum shall provide the appropriate text for the memorial marker."

On motion of Senator Ellington, the committee amendment was adopted.

The resolution was read by title. Senator Schedler moved to adopt the amended Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Marionneaux
Adley	Dupre	McPherson
Amedee	Ellington	Michot
Bajoie	Fields	Mount
Barham	Fontenot	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Cravins	Lentini	Ullo
Dardenne	Malone	
Total - 35		

NAYS

Total - 0

ABSENT

Gautreaux B
Total - 2

Hollis

The Chair declared the Senate had adopted the amended Senate Concurrent Resolution and ordered it engrossed and sent to the House.

Senate Bills and Joint Resolutions on Third Reading and Final Passage

The following Senate Bills and Joint Resolutions on Third Reading and Final Passage were taken up and acted upon as follows:

SENATE BILL NO. 20— BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 24:771(3) and 772, relative to reports provided to the legislature; to provide for definitions; to provide for record maintenance and retrieval; to require audit determination of reporting compliance; and to provide for related matters.

Floor Amendments Sent Up

Senator Michot sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Michot to Engrossed Senate Bill No. 20 by Senator Michot

AMENDMENT NO. 1

On page 2, line 17, delete "semiannually"

On motion of Senator Michot, the amendments were adopted.

The bill was read by title. Senator Michot moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Malone
Adley	Dupre	Marionneaux
Amedee	Ellington	McPherson
Bajoie	Fields	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Heitmeier	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Hollis
Total - 1

The Chair declared the amended bill was passed. The title was read and adopted. Senator Michot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 58—

BY SENATORS DUPLESSIS AND FIELDS
AN ACT

To repeal R.S. 17:121(D), relative to participation in certain campaign activities for the election of school board members in Orleans Parish; to remove the prohibition against school board

members or other elected officials in campaigning for or against the election of school board members in Orleans Parish; and to provide for related matters.

The bill was read by title. Senator Duplessis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Malone
Adley	Dupre	Marionneaux
Amedee	Ellington	McPherson
Bajoie	Fields	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Heitmeier	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Hollis
Total - 1

The Chair declared the bill was passed. The title was read and adopted. Senator Duplessis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 62—

BY SENATORS DUPLESSIS, BAJOE AND MURRAY
AN ACT

To enact R.S. 17:1601.6, relative to naming state buildings in honor of a living person; to name the building which houses the school of social work at Southern University in New Orleans; and to provide for related matters.

Floor Amendments Sent Up

Senator Duplessis sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Duplessis to Engrossed Senate Bill No. 62 by Senator Duplessis

AMENDMENT NO. 1

On page 1, line 8, after "building" insert "being".

AMENDMENT NO. 2

On page 1, line 9, after "University" delete "in" and insert "at".

AMENDMENT NO. 3

On page 1, line 11, after "College" insert "System".

On motion of Senator Duplessis, the amendments were adopted.

The bill was read by title. Senator Duplessis moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Malone
Adley	Dupre	Marionneaux
Amedee	Ellington	McPherson
Bajoie	Fields	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Heitmeier	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Hollis
Total - 1

The Chair declared the amended bill was passed. The title was read and adopted. Senator Duplessis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 82—

BY SENATORS DARDENNE, AMEDEE, BARHAM, BOASSO, HOLLIS, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, NEVERS, SMITH, THEUNISSEN, JONES, DUPLESSIS, DUPRE, ELLINGTON, FIELDS AND ULLO AND REPRESENTATIVE GEYMAN

AN ACT

To repeal R.S. 42:1123(13), relative to the Code of Governmental Ethics; to repeal provisions relative to an elected official's authorization to accept certain gifts; and to provide for related matters.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Engrossed Senate Bill No. 82 by Senator Dardenne

AMENDMENT NO.1

On page 1, line 2, after "To" insert "amend and reenact R.S. 24:51(2) and R.S. 49:72(5) and to"

AMENDMENT NO. 2

On page 1, between lines 5 and 6 insert the following:
"Section 1. R.S. 24:51(2) is hereby amended and reenacted to read as follows:

§51. Definitions

When used in this Part:

* * *

(2) "Expenditure" means the gift or payment of money or anything of value when the amount of value exceeds ten dollars for the purchase of food, drink, or refreshment for a legislator and any gift or payment as permitted by R.S. 42:1123(13) and (16) when the value exceeds ten dollars for the purpose of lobbying when the lobbyist or principal accounts, or would be expected to account for the expenditure as an ordinary and necessary expense directly related to the active conduct of the lobbyist's, his employer's, or the principal's trade or business.

* * *

Section 2. R.S. 49:72(5) is hereby amended and reenacted to read as follows:

§72. Definitions

When used in this Part:

* * *

(5) "Expenditure" means the gift or payment of money or anything of value when the amount of value exceeds ten dollars for the purchase of food, drink, or refreshment for an executive branch official and any gift or payment permitted by R.S. 42:1123(13) when the value exceeds ten dollars for the purpose of lobbying when the lobbyist or principal accounts, or would be expected to account, for the expenditure as an ordinary and necessary expense directly related to the active conduct of the lobbyist's, his employer's, or the principal's trade or business.

* * *

AMENDMENT NO. 3

On page 1, line 6, change "Section 1" to "Section 3"

On motion of Senator Dardenne, the amendments were adopted.

Floor Amendments Sent Up

Senator McPherson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Engrossed Senate Bill No. 82 by Senator Dardenne

AMENDMENT NO.1

On page 1, line 2, after "To" insert "amend and reenact R.S. 42:1115(B) and to"

AMENDMENT NO. 2

On page 1, line 2, after "Ethics;" insert "to provide for gifts; to restrict elected officials from receiving certain gifts;"

AMENDMENT NO. 3

On page 1, between lines 5 and 6 insert the following:

"Section 1. R.S. 42:1115(B) is hereby amended and reenacted to read as follows:

§1115. Gifts

* * *

B. No public ~~employee~~ **servant** shall solicit or accept, directly or indirectly, anything of economic value as a gift or gratuity from any person or from any officer, director, agent, or employee of such person, if such public ~~employee~~ **servant** knows or reasonably should know that such person:

(1) Conducts operations or activities which are regulated by the public ~~employee's~~ **servant's** agency.

(2) Has substantial economic interests which may be substantially affected by the performance or nonperformance of the public ~~employee's~~ **servant's** official duty."

AMENDMENT NO. 4

On page 1, line 6, change "Section 1." to "Section 2."

Senator McPherson moved adoption of the amendments.

Senator Dardenne objected.

ROLL CALL

The roll was called with the following result:

YEAS

Cain	Fields	Malone
Chaisson	Gautreaux B	McPherson
Cravins	Heitmeier	Murray
Dupre	Jones	Nevers
Total - 12		

NAYS

Mr. President	Duplessis	Michot
Adley	Ellington	Mount

Amedee
Bajoie
Barham
Boasso
Cheek
Dardenne
Total - 23

Fontenot
Gautreaux N
Jackson
Kostelka
Lentini
Marionneaux

Romero
Schedler
Smith
Theunissen
Ullo

ABSENT

Broome
Total - 2

Hollis

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

Senator Adley sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Adley to Engrossed Senate Bill No. 82 by Senator Dardenne

AMENDMENT NO.1

In Senate Floor Amendments proposed by Senator Dardenne and adopted by the Senate on May 10, 2005, on page 1, delete lines 18 through 30, and on line 32, change "Section 3" to "Section 2"

On motion of Senator Adley, the amendments were adopted.

The bill was read by title. Senator Dardenne moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley
Amedee
Bajoie
Barham
Boasso
Broome
Cain
Chaisson
Cheek
Cravins
Dardenne
Duplessis
Total - 35

Dupre
Ellington
Fields
Fontenot
Gautreaux B
Gautreaux N
Heitmeier
Jackson
Jones
Kostelka
Lentini
Malone

Marionneaux
McPherson
Michot
Mount
Murray
Nevers
Romero
Schedler
Smith
Theunissen
Ullo

NAYS

Total - 0

ABSENT

Mr. President
Total - 2

Hollis

The Chair declared the amended bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 107— BY SENATOR DUPLESSIS

AN ACT

To enact R.S. 6:319, relative to financial institutions; to authorize banks to use additional FDIC insurance coverage to insure excess public funds on deposit; to provide that such funds are considered fully collateralized; and to provide for related matters.

Floor Amendments Sent Up

Senator Duplessis sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Duplessis to Engrossed Senate Bill No. 107 by Senator Duplessis

AMENDMENT NO.1

On page 1, line 11 at the beginning of the line after "funds deposits" delete "to be held in time certificates of deposit"

On motion of Senator Duplessis, the amendments were adopted.

The bill was read by title. Senator Duplessis moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Amedee
Bajoie
Barham
Boasso
Broome
Cain
Chaisson
Cheek
Cravins
Dardenne
Total - 36

Duplessis
Dupre
Ellington
Fields
Fontenot
Gautreaux B
Gautreaux N
Heitmeier
Jackson
Jones
Kostelka
Lentini

Malone
Marionneaux
McPherson
Michot
Mount
Murray
Nevers
Romero
Schedler
Smith
Theunissen
Ullo

NAYS

Total - 0

ABSENT

Hollis
Total - 1

The Chair declared the amended bill was passed. The title was read and adopted. Senator Duplessis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 110— BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 9:3530(C)(4), relative to consumer loan transactions; to provide for a documentation fee for certain consumer loan transactions; and to provide for related matters.

The bill was read by title. Senator Smith moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Amedee
Bajoie
Barham
Boasso
Broome
Chaisson
Cheek

Dupre
Ellington
Fields
Fontenot
Gautreaux B
Gautreaux N
Jackson
Jones
Kostelka

McPherson
Michot
Mount
Murray
Nevers
Romero
Schedler
Smith
Theunissen

Cravins	Lentini	Ullo
Dardenne	Malone	
Duplessis	Marionneaux	
Total - 34		

NAYS

Cain
Total - 1

ABSENT

Heitmeier	Hollis
Total - 2	

The Chair declared the bill was passed. The title was read and adopted. Senator Smith moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 149—
BY SENATOR BAJOIE

AN ACT

To enact R.S. 46:450.5, relative to public assistance; to provide evaluation services to certain persons for chronic kidney disease; to provide early intervention and treatment to certain persons with chronic kidney disease; and to provide for related matters.

Floor Amendments Sent Up

Senator Bajoie sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bajoie to Engrossed Senate Bill No. 149 by Senator Bajoie

AMENDMENT NO. 1

On page 2, at the end of line 6, change "as" to "or other healthcare practitioner licensed, certified, or registered to perform specified healthcare services consistent with state law."

AMENDMENT NO. 2

On page 2, line 7, change "having clinical benefit" to "Such certified coverage for diagnostic testing and healthcare services shall have clinical benefits"

On motion of Senator Bajoie, the amendments were adopted.

Floor Amendments Sent Up

Senator Bajoie sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bajoie to Engrossed Senate Bill No. 149 by Senator Bajoie

AMENDMENT NO. 1

On page 2, line 2, delete "**shall be any**" and insert "**should**"

AMENDMENT NO. 2

On page 2, delete lines 5 through 7 and insert:

"D. In keeping with the Department of Health and Hospitals, Medicaid program's disease management program, patients receiving Medicaid benefits who are at risk for chronic kidney disease will be tracked regarding appropriate diagnostic testing. Medicaid providers will be educated and disease management strategies implemented in order to increase the rate of evaluation and treatment for chronic kidney disease according to accepted practice guidelines including:"

On motion of Senator Bajoie, the amendments were adopted.

The bill was read by title. Senator Bajoie moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dardenne	Malone
Adley	Duplessis	Marionneaux
Amedee	Dupre	McPherson
Bajoie	Ellington	Mount
Barham	Fields	Murray
Boasso	Fontenot	Nevers
Broome	Gautreaux B	Romero
Cain	Gautreaux N	Schedler
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Cravins	Lentini	Ullo
Total - 33		

NAYS

Total - 0

ABSENT

Heitmeier	Kostelka
Hollis	Michot
Total - 4	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Bajoie moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Rules Suspended

Senator Ullo asked for and obtained a suspension of the rules for the purpose of reverting to the Morning Hour.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

**CONCURRING IN
SENATE CONCURRENT RESOLUTIONS**

May 9, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

SENATE CONCURRENT RESOLUTION NO. 40—
BY SENATOR BAJOIE

A CONCURRENT RESOLUTION

To commend Harold Fontenette for being one of the first African-American students to pursue higher educational studies, in 1958, at the Louisiana State University in New Orleans (LSUNO).

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 43—
BY SENATOR SMITH

A CONCURRENT RESOLUTION

To commend and congratulate the students and faculty at Northwestern State University on their recent success at the 10th Annual Association of Information Technology Professionals (AITP) National Collegiate Conference.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 45—

BY SENATOR DARDENNE

A CONCURRENT RESOLUTION

To commend and congratulate Dr. Eugene R. Wittkopf upon the occasion of his retirement from Louisiana State University as R. Downs Poindexter Distinguished Professor of Political Science; to recognize and record his accomplishments and contributions to the university; and to extend to him best wishes of the Legislature of Louisiana on his future endeavors.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 47—

BY SENATOR HINES AND REPRESENTATIVES SALTER AND WALSWORTH

A CONCURRENT RESOLUTION

To commend and congratulate the Rotary International on its 100th anniversary.

Reported without amendments.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

**Introduction of Resolutions,
Senate and Concurrent**

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Resolutions, Senate and Concurrent, a first and second time and acting upon them as follows:

SENATE RESOLUTION NO. 72—

BY SENATOR DARDENNE

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana upon the death of long-time East Baton Rouge Parish teacher and librarian Virginia Joye Cranford.

On motion of Senator Dardenne, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 73—

BY SENATOR FONTENOT

A RESOLUTION

To designate May 18, 2005, as Louisiana Housing Council Day.

On motion of Senator Fontenot, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 74—

BY SENATOR HINES

A RESOLUTION

To declare Tuesday, May 10, 2005, as Tar Wars Day in the state of Louisiana and to commend all the committed individual family physicians and partnering health professionals who have worked through the Tar Wars Program to help the children of Louisiana to understand the positive aspects of not using tobacco.

On motion of Senator Hines, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 75—

BY SENATOR DUPLESSIS

A RESOLUTION

To urge and request the Select Committee on Women and Children to conduct a study of the feasibility of creating a grandparents' bill of rights.

On motion of Senator Duplessis, the resolution was read by title and adopted.

SENATE CONCURRENT RESOLUTION NO. 50—

BY SENATOR DARDENNE

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of James "Jimmy" Dejean Prescott, Sr.

The resolution was read by title. Senator Dardenne moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Michot
Adley	Ellington	Mount
Amedee	Fields	Murray
Bajoie	Fontenot	Nevers
Barham	Gautreaux B	Romero
Boasso	Gautreaux N	Schedler
Broome	Jackson	Smith
Cain	Jones	Theunissen
Cheek	Malone	Ullo
Dardenne	Marionneaux	
Duplessis	McPherson	
Total - 31		

NAYS

Total - 0

ABSENT

Chaisson	Heitmeier	Kostelka
Cravins	Hollis	Lentini
Total - 6		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

SENATE CONCURRENT RESOLUTION NO. 51—

BY SENATOR FONTENOT

A CONCURRENT RESOLUTION

To commend the National Environmental Health Association and the Louisiana Environmental Health Association for their achievements in protecting public health and join the membership of these organizations in celebrating the fourth Monday in April annually as National Sanitarian and Environmental Health Specialist Day in Louisiana.

The resolution was read by title. Senator Fontenot moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Ellington	Michot
Amedee	Fields	Murray
Barham	Fontenot	Nevers
Boasso	Gautreaux B	Romero
Broome	Gautreaux N	Schedler
Cain	Jackson	Smith
Cheek	Jones	Theunissen
Dardenne	Malone	Ullo
Duplessis	Marionneaux	
Total - 29		

NAYS

Total - 0

ABSENT

Bajoie
Chaisson
Cravins
Total - 8

Heitmeier
Hollis
Kostelka

Lentini
Mount

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

SENATE CONCURRENT RESOLUTION NO. 52—
BY SENATOR HINES

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to study the issue of improving the health and safety of student athletes in Louisiana's secondary schools.

The resolution was read by title. Senator Hines moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Ellington	Michot
Amedee	Fields	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Romero
Broome	Jackson	Schedler
Cain	Jones	Smith
Cheek	Lentini	Theunissen
Dardenne	Malone	Uilo
Duplessis	Marionneaux	
Total - 32		

NAYS

Total - 0

ABSENT

Chaisson	Heitmeier	Kostelka
Cravins	Hollis	
Total - 5		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

Message from the House

**ASKING CONCURRENCE IN
HOUSE BILLS AND JOINT RESOLUTIONS**

May 10, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

HOUSE BILL NO. 137—

BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact R.S. 33:9091.1(F)(1) and (3), relative to the Lakeview Crime Prevention District; to provide for changing the amount and the term of the parcel fee levied for the district; and to provide for related matters.

HOUSE BILL NO. 145—

BY REPRESENTATIVE THOMPSON
AN ACT

To amend and reenact R.S. 33:140.75(A) and to repeal R.S. 33:140.71(C), relative to railroad development districts; to provide for the maximum rate of the ad valorem tax to be levied

by such districts; to provide relative to tax renewal; to repeal certain provisions relative to district boundaries; and to provide for related matters.

HOUSE BILL NO. 189—

BY REPRESENTATIVES E. GUILLORY AND MORRISH AND SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 27:93(A)(6), relative to fees levied on riverboats in Calcasieu Parish; to provide relative to the levying of admission fees; to authorize the local governing authority in Calcasieu Parish where riverboats are berthed to levy a fee based on monthly net gaming proceeds in lieu of admission fees; to provide for the allocation of funds derived from fees levied by the local governing authority; to authorize contracts for payment of a minimum annual fee and payments of additional amounts; to provide for cooperative endeavor agreements; to provide for legislative intent; and to provide for related matters.

HOUSE BILL NO. 253—

BY REPRESENTATIVES BURNS AND SCHNEIDER
AN ACT

To enact R.S. 33:4712.13, relative to naming a park; to authorize the Mandeville City Council to name the park behind Mandeville City Hall in honor of Paul D. Cordes; and to provide for related matters.

HOUSE BILL NO. 280—

BY REPRESENTATIVE GALLOT
AN ACT

To amend and reenact R.S. 38:2869, 2870(A)(7), and 2872, relative to the Claiborne Parish Watershed District; to provide relative to the powers and duties of the board of commissioners; to provide relative to contracts of the district; and to provide for related matters.

HOUSE BILL NO. 312—

BY REPRESENTATIVES GLOVER AND BRUCE
AN ACT

To enact Chapter 5-N of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:380.111 through 380.116, and R.S. 36:744(Y) and 801.18, to create the Spring Street Historical Museum in the Department of State; to provide relative to the governing authority of the museum including its composition, powers, duties, responsibilities, meetings, and officers; to provide for the adoption of rules and regulations including fees; to provide for receipt and use of funds and property; to provide relative to the authority of the secretary of state and the Department of State with respect to the museum; to provide relative to personnel and budgets of the museum; and to provide for related matters.

HOUSE BILL NO. 376—

BY REPRESENTATIVE SALTER
AN ACT

To amend and reenact R.S. 33:7702, relative to waterworks districts; to provide relative to the procedures for consolidating certain waterworks districts in the parish of Sabine; and to provide for related matters.

HOUSE BILL NO. 452—

BY REPRESENTATIVE DOERGE
AN ACT

To amend and reenact R.S. 40:1496(D), relative to certain fire protection districts located in more than one parish; to provide relative to qualifications of members of the boards of commissioners of such districts; and to provide for related matters.

HOUSE BILL NO. 512—

BY REPRESENTATIVE E. GUILLORY
AN ACT

To amend and reenact R.S. 27:93(A)(1) and 391(C) and to enact R.S. 27:93(A)(9) and R.S. 33:9575, to provide with respect to the creation of the Calcasieu Parish Gaming Revenue District; to provide for the boundaries of the district; to provide for the

powers and duties of the district, including the power to tax; to provide relative to the levying of admission fees; to authorize the district to levy a fee based on monthly net gaming proceeds of riverboats in lieu of admission fees; to provide for the allocation of funds derived from fees levied by the district; to provide for cooperative endeavor or local services agreements; to provide for legislative intent; and to provide for related matters.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

House Bills and Joint Resolutions on First Reading

The following House Bills and Joint Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

HOUSE BILL NO. 137—

BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact R.S. 33:9091.1(F)(1) and (3), relative to the Lakeview Crime Prevention District; to provide for changing the amount and the term of the parcel fee levied for the district; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 145—

BY REPRESENTATIVE THOMPSON
AN ACT

To amend and reenact R.S. 33:140.75(A) and to repeal R.S. 33:140.71(C), relative to railroad development districts; to provide for the maximum rate of the ad valorem tax to be levied by such districts; to provide relative to tax renewal; to repeal certain provisions relative to district boundaries; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 189—

BY REPRESENTATIVES E. GUILLORY AND MORRISH AND SENATOR THEUNISSEN
AN ACT

To amend and reenact R.S. 27:93(A)(6), relative to fees levied on riverboats in Calcasieu Parish; to provide relative to the levying of admission fees; to authorize the local governing authority in Calcasieu Parish where riverboats are berthed to levy a fee based on monthly net gaming proceeds in lieu of admission fees; to provide for the allocation of funds derived from fees levied by the local governing authority; to authorize contracts for payment of a minimum annual fee and payments of additional amounts; to provide for cooperative endeavor agreements; to provide for legislative intent; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 253—

BY REPRESENTATIVES BURNS AND SCHNEIDER
AN ACT

To enact R.S. 33:4712.13, relative to naming a park; to authorize the Mandeville City Council to name the park behind Mandeville City Hall in honor of Paul D. Cordes; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 280—

BY REPRESENTATIVE GALLOT
AN ACT

To amend and reenact R.S. 38:2869, 2870(A)(7), and 2872, relative to the Claiborne Parish Watershed District; to provide relative to the powers and duties of the board of commissioners; to

provide relative to contracts of the district; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 312—

BY REPRESENTATIVES GLOVER AND BRUCE
AN ACT

To enact Chapter 5-N of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:380.111 through 380.116, and R.S. 36:744(Y) and 801.18, to create the Spring Street Historical Museum in the Department of State; to provide relative to the governing authority of the museum including its composition, powers, duties, responsibilities, meetings, and officers; to provide for the adoption of rules and regulations including fees; to provide for receipt and use of funds and property; to provide relative to the authority of the secretary of state and the Department of State with respect to the museum; to provide relative to personnel and budgets of the museum; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 376—

BY REPRESENTATIVE SALTER
AN ACT

To amend and reenact R.S. 33:7702, relative to waterworks districts; to provide relative to the procedures for consolidating certain waterworks districts in the parish of Sabine; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 452—

BY REPRESENTATIVE DOERGE
AN ACT

To amend and reenact R.S. 40:1496(D), relative to certain fire protection districts located in more than one parish; to provide relative to qualifications of members of the boards of commissioners of such districts; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 512—

BY REPRESENTATIVE E. GUILLORY
AN ACT

To amend and reenact R.S. 27:93(A)(1) and 391(C) and to enact R.S. 27:93(A)(9) and R.S. 33:9575, to provide with respect to the creation of the Calcasieu Parish Gaming Revenue District; to provide for the boundaries of the district; to provide for the powers and duties of the district, including the power to tax; to provide relative to the levying of admission fees; to authorize the district to levy a fee based on monthly net gaming proceeds of riverboats in lieu of admission fees; to provide for the allocation of funds derived from fees levied by the district; to provide for cooperative endeavor or local services agreements; to provide for legislative intent; and to provide for related matters.

The bill was read by title; lies over under the rules.

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

May 10, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 91—

BY REPRESENTATIVES LAMBERT, M. POWELL, M. GUILLORY, ST. GERMAIN, AND WHITE AND SENATOR AMEDEE

A CONCURRENT RESOLUTION

To commend Mothers of Military Servicemen and Women - Blue Star Mothers of Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 93—

BY REPRESENTATIVE DORSEY

A CONCURRENT RESOLUTION

To designate Tuesday, May 10, 2005, as Tar Wars Day in the state of Louisiana and to commend the Louisiana Academy of Family Physicians, the American Academy of Family Physicians, the Louisiana Area Health Education Centers, the Baton Rouge General Medical Center, and all of the committed individual family physicians and partnering health professionals who have worked with the Tar Wars program to help the children of Louisiana to understand the positive aspects of not using tobacco; those who have learned the benefits of being tobacco free; and all of the Tar Wars poster contest participants and winners.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

Messages from the House

The following Messages from the House were received and read as follows:

House Concurrent Resolutions

Senator Bajoie asked for and obtained a suspension of the rules to take up at this time the following House Concurrent Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 91—

BY REPRESENTATIVES LAMBERT, M. POWELL, M. GUILLORY, ST. GERMAIN, AND WHITE AND SENATOR AMEDEE

A CONCURRENT RESOLUTION

To commend Mothers of Military Servicemen and Women - Blue Star Mothers of Louisiana.

The resolution was read by title. Senator Amedee moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Jackson	Romero
Cain	Jones	Schedler
Cheek	Kostelka	Smith
Dardenne	Lentini	Theunissen
Duplessis	Malone	Ullo
Total - 33		

NAYS

Total - 0

ABSENT

Chaisson	Heitmeier
Cravins	Hollis
Total - 4	

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 93—

BY REPRESENTATIVE DORSEY

A CONCURRENT RESOLUTION

To designate Tuesday, May 10, 2005, as Tar Wars Day in the state of Louisiana and to commend the Louisiana Academy of Family Physicians, the American Academy of Family Physicians, the Louisiana Area Health Education Centers, the Baton Rouge General Medical Center, and all of the committed individual family physicians and partnering health professionals who have worked with the Tar Wars program to help the children of Louisiana to understand the positive aspects of not using tobacco; those who have learned the benefits of being tobacco free; and all of the Tar Wars poster contest participants and winners.

The resolution was read by title. Senator Broome moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	McPherson
Adley	Dupre	Michot
Amedee	Ellington	Mount
Bajoie	Fields	Murray
Barham	Fontenot	Nevers
Boasso	Gautreaux B	Romero
Broome	Gautreaux N	Schedler
Cain	Jackson	Smith
Chaisson	Jones	Theunissen
Cheek	Lentini	Ullo
Cravins	Malone	
Dardenne	Marionneaux	
Total - 34		

NAYS

Total - 0

ABSENT

Heitmeier	Hollis	Kostelka
Total - 3		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON**JUDICIARY A**

Senator Lentini, Chairman on behalf of the Committee on Judiciary A, submitted the following report:

May 10, 2005

To the President and Members of the Senate:

I am directed by your Committee on Judiciary A to submit the following report:

SENATE BILL NO. 40—

BY SENATORS CAIN AND MICHOT
AN ACT

To amend and reenact R.S. 40:1299.58.2 (9) and R.S. 40:1299.58.5 (A) and to enact R.S. 40:1299.58.11 and R.S. 40:1299.58.12, relative to living wills; to affirm the dignity of human life; to clarify the definition of life sustaining procedures; to provide for determination as to which individual or individuals are allowed to make life sustaining decisions for a patient; to provide relative to starvation and dehydration; to provide for injunctive relief; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
ARTHUR J. "ART" LENTINI
Chairman

REPORT OF COMMITTEE ON

JUDICIARY B

Senator Marionneaux, Chairman on behalf of the Committee on Judiciary B, submitted the following report:

May 10, 2005

To the President and Members of the Senate:

I am directed by your Committee on Judiciary B to submit the following report:

SENATE BILL NO. 35—

BY SENATOR BARHAM
AN ACT

To enact R.S. 40:2405(H), relative to peace officer standards and training; to provide requirements for former peace officers to retain certain qualifications; to provide relative to the resumption of service as a peace officer; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 318—

BY SENATOR JONES
AN ACT

To amend and reenact R.S. 15:542.1(L) and 550(A), (C)(2) and (D)(2), and to enact R.S. 15:538(E) and (F), 542(G) and (H), 542.1(N) and 549(H) and Chapter 24-B of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2525, relative to criminal offenses against persons; to require the Department of Public Safety and Corrections or the Louisiana Bureau of Criminal Identification and Information to approve the residence location and living arrangements of the sexual offender; to provide for verification of sexual offender registration; to provide that it is a criminal offense to hide or harbor a sex offender, child predator, or sexually violent predator, or to fail to notify or to provide false information about such offender or predator to law enforcement officials; to provide for penalties; to provide for notification requirements for child predators or sexually violent predators; to provide for a pre-Amber Alert action plan; to provide for a pilot program for tracking certain sex offenders and violent offenders; to provide for the use of certain technology; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
ROBERT MARIONNEAUX, JR.
Chairman

Rules Suspended

Senator Duplessis asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 319 from the Committee on Judiciary C.

SENATE BILL NO. 319—

BY SENATOR DUPLESSIS
AN ACT

To enact Part V of Chapter 9 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1821 through 1831, relative to assault weapons; to authorize local governing authorities to levy and collect a fee for implementing a registration and permitting program for assault weapons; to provide definitions; to provide for amount of fee; to provide for collection and distribution of fee; to provide for a reporting process; to define certain crimes; to provide penalties; and to provide for related matters.

On motion of Senator Duplessis, the bill was read by title and withdrawn from the files of the Senate.

Motion to Recommit

Senator Duplessis asked for and obtained a suspension of the rules and recommitted Senate Bill No. 317, which was on Third Reading and Final Passage Subject to Call, to the Committee on Revenue and Fiscal Affairs.

**Privilege Report of the Committee on
Senate and Governmental Affairs**

ENROLLMENTS

Senator Jones, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

May 10, 2005

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Concurrent Resolution has been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 38—

BY SENATOR JACKSON
A CONCURRENT RESOLUTION

To commend the CASA programs in Louisiana, and proclaims May 3, 2005 as "Louisiana CASA Day" at the state capitol.

Respectfully submitted,
CHARLES D. JONES
Chairman

The foregoing Senate Concurrent Resolution was signed by the President of the Senate.

Leaves of Absence

The following leaves of absence were asked for and granted:

Hollis 1 Day

Adjournment

Senator Bajoie moved that the Senate adjourn until Wednesday, May 11, 2005, at 1:30 o'clock P.M.

The President of the Senate declared the Senate adjourned until 1:30 o'clock P.M. on Wednesday, May 11, 2005.

GLENN A. KOEPP
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk